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<b>Subject:</b> Grant Administration	<b>Number:</b> 1-1
<b>Responsible Department:</b> DAS—Finance	<b>Date Issued/Revised:</b> December 1, 1998 <b>Approved:</b>

## Policy

Departments receiving federal and/or state grant funding shall monitor and account for these funds in compliance with Office of Management and Budget Circular 133 pertaining to the Single Audit Act of 1984.

## Procedures

1. Each affected department shall appoint a department or division contact person who shall be responsible for monitoring and accounting for federal and/or state grant funding.
2. Upon notification of acceptance by the City of a grant, the contact person shall:
  - a. Notify each of the following by sending them a copy of a Notification of Grant Award (Exhibit I):
    - Budget and Management Studies Division (BMSD)
    - Financial Reporting/Accounting
    - MBE/DBE Program Coordinator, Department of Administrative Services
    - City Clerk's Office
3. The department shall establish a file for each grant received. The file shall include:
  - a. Grant application, signed agreement, and Notification of Grant Award form.
  - b. Budget of estimated costs to be incurred.
  - c. Copies of all contract agreements.
  - d. A copy of all accounting source documents (request for payment, purchase order, partial payment request, interdepartmental billing/transfer, non-capital improvement project time sheets) for expenditures by the funded program along with supporting documentation (invoices, contracts).
4. The accounting source documents will be matched to the FAMIS Report 22 (Appropriation Encumbrance and Expenditure Ledger) report on a monthly basis by the department.

5. When sufficient funds have been expended to enable the department to receive funding from its granting agency, the department shall prepare a request for reimbursement for that grant. A copy of the reimbursement request will be sent to General Accounting.
6. When General Accounting receives payment from the granting agency, a copy of the cashier's memo recording the deposit will be sent to the contact person for the department grant file.
7. The contact person shall account for all monies received under the project by keeping a copy of the deposit and supporting documents in the grant file.
8. Within one month after the end of each calendar quarter, the contact person shall complete the Quarterly Grant Status Report (Exhibit II), or substitute a grant agency report with the same information.
9. The department will be responsible for completing any additional monthly, quarterly, or yearly financial reports required by the granting agency.

CITY OF FRESNO  
NOTIFICATION OF GRANT AWARD

Project Name: \_\_\_\_\_

Department: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Granting Agency: \_\_\_\_\_

Grant Name: \_\_\_\_\_

Grant Number: \_\_\_\_\_

Grant Amount: \_\_\_\_\_

Grant Period: \_\_\_\_\_

Grant Approval Date: \_\_\_\_\_

Grant Funding Type: \_\_\_\_\_

Accounting Information:

Fund: \_\_\_\_\_

Division: \_\_\_\_\_

Program: \_\_\_\_\_

Revenue: \_\_\_\_\_

Funding Sources:

Federal \$ \_\_\_\_\_ (\_\_\_\_%)

State \$ \_\_\_\_\_ (\_\_\_\_%)

City \$ \_\_\_\_\_ (\_\_\_\_%)

Other \$ \_\_\_\_\_ (\_\_\_\_%)

Total \$ \_\_\_\_\_ (\_\_\_\_%)

Other Information: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

To be completed by department after acceptance of grant.

Distribution:

BMSD

Accounting/Financial Reporting

Public Works Department, MBE/DBE Program Coordinator

City Clerk's Office

<b>Subject:</b> Petty Cash Reimbursements	<b>Number:</b> 1-2
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> DAS—Finance	<b>Approved:</b>

## Policy

1. The petty cash process may be used to reimburse the purchase of out-of-stock minor supplies and authorized out-of-pocket amounts for meals and travel expenses. A petty cash purchase shall not exceed \$30.

## Procedures

1. All departments may establish and maintain petty cash boxes. The number of boxes and amounts to be maintained in each box will be agreed upon by the department and the Department of Administrative Services.
2. Each department will assign one employee to be in charge of each petty cash box it maintains. This employee will be responsible for maintaining the cash balance in the box, issuing petty cash to be used, and replenishing the box when funds are depleted. This employee is to be trained by the department, and the Department of Administrative Services, if necessary, on the proper procedures and safeguards used for petty cash.
3. When an employee makes a petty cash purchase, he/she is to turn in the receipt to the person in charge of petty cash. He/she will then receive reimbursement for the purchase from the petty cash box. The receipt and an explanation of the purchase are to be retained in the box.

**The total of the remaining cash and receipts reimbursed in the box must equal the original amount issued at all times.**

4. Reimbursements to the petty cash box will be processed with a Request for Payment (RFP). The RFP must include all of the following information:
  - a. Payable to "\_\_\_\_\_ Department Petty Cash/Employee Responsible for Petty Cash."
  - b. All receipts reimbursed from the petty cash box are to be attached on a separate piece of paper. Only the original receipts will be accepted.
  - c. The reimbursement will be charged to the proper index code and subobject line item for each purchase.
  - d. Signature of the employee responsible for the petty cash box and a department director or appointee signature as "authorizing" the reimbursement are required for processing.



5. The RFP will then be submitted to Accounts Payable for payment. Once the payment is processed, the department will be responsible for the following:
  - a. The employee responsible for petty cash will pick up the check from Accounts Payable.
  - b. The employee will be responsible for cashing the check and returning the cash to the petty cash box.
6. An example of a completed RFP is attached.

March 31, 1997

### Accounts Payable Only

Batch Date			
------------	--	--	--

Batch No.			
-----------	--	--	--

Coded by

Description	Amount
Reimbursement for attached petty cash purchases from 1/1/97 through 3/31/97	\$ 181.15
Total	\$ 181.15

<u>Dept. Director or Appointee</u>			<u>John Smith</u>	<u>3/31/97</u>
<u>Authorized Signature</u>	<u>Date</u>	<u>Dept. Cont. No.</u>	<u>Approved By</u>	<u>Date</u>

Accounting	Date
------------	------

AUTHORIZED SIGNATURE

<b>Subject:</b> Fixed Assets Inventory	<b>Number:</b> 1-3
	<b>Date Issued/Revised:</b> October 10, 2003
<b>Responsible Department:</b> Finance	<b>Approved:</b>

## Purpose

To establish a uniform policy for the recording and tracking of fixed assets.

## Policy

1. Fixed assets must be capitalized if they have a useful life of two or more years and a cost of \$2,000 or more for equipment, furnishings, vehicles; \$5,000 for land, buildings, improvements, and infrastructure.
2. Capitalization thresholds must be applied to individual assets, not to a group of assets.
3. Tracking and control methods over non-capitalized fixed assets must be maintained:
  - a. Assets that are, by nature, susceptible to theft or personal use (i.e., cameras, telecommunications equipment, etc.), which have a cost of less than \$2,000, but more than \$300, may be tracked, at the discretion of the departments, in the fixed asset system.
  - b. Security of these and all fixed assets is to be maintained at the department level.

## Procedures

1. Each City department and division is responsible for the physical security, the use, maintenance, accounting and disposal of the fixed assets assigned to their units.
2. The Finance Department Accounting Division is responsible for establishing and maintaining a Citywide "Fixed Asset Control File."
3. The Accounting Division will designate a Citywide Property Monitor who is responsible for maintaining the Citywide Asset Control File, and who is responsible for providing quarterly asset lists to Departmental Property Monitors.
4. Each department will designate its own Department Property Monitor. This individual must be independent of record keeping and custody of the department's fixed assets. He/she is also responsible for coordinating department physical inventories at least every four years, and for notifying the Citywide Property Monitor of any changes to the Fixed Asset Control Files.
5. All departmental inventory records are subject to audit by the City's internal auditors, external auditors, or at the discretion of the Citywide Property Monitor.

6. **Transfers.** A form F/A 91 must be completed and signed by the department director relinquishing the asset for all asset transfers. If the asset being transferred has a historical cost of \$5,000 or more, the F/A 91 form must be signed by the City Manager. Asset transfers that cross funds or orgs must be communicated to the Citywide Property Monitor through submission of the form F/A 91.
7. **Disposals.** For all fixed asset disposals, a form F/A 91 must be completed. If an asset being disposed of has a historical cost of \$5,000 or more, the form must be signed by the City Manager. All other fixed asset disposals require the signature by the department director. The form F/A 91 can be used for a single asset disposal or a group of assets, provided a list is attached. The Citywide Property Monitor is to be provided a copy of every form F/A 91 completed by the departments. Any proceeds resulting from the disposed asset(s) must also be disclosed (with supporting documents attached).



## FIXED ASSET INVENTORY INPUT DOCUMENT (F/A 91)

### TRANSFER:

☐

Transfer from one department/location to another department/location.

Transfer from

Fund

Org

Location Code

Location Description

Transfer to

Fund

Org

Location Code

Location Description

### DISPOSAL:

☐

Transfer from department to Corporation Yard for sale by Purchasing (Purchasing Approval Required).

☐

Sold

Cashier Memo

Date

Amount

Attach copy of cashier memo.

☐

Trade In

P.O. #

Amount

Attach copy of purchase order.

☐

Stolen

Police Report #

Date

Attach copy of police report.

☐

Dismantled/Scrappe

☐

Lost: Statement of Fact

Statement of Fact:

### OTHER:

Explain:

### REQUIRED INFORMATION:

Asset Number

Description

Historical Cost \$

Tag #

Serial #

Model #

Fund #

Org #

### APPROVED BY:

Department Director

Date

Purchasing

Date

City Manager

Date

Finance, Accounting

Date

*Distribution: Original-Finance Copy-Originator*

<b>Subject:</b> Expenses on City Business	<b>Number:</b> 1-4
<b>Responsible Department:</b> Finance	<b>Date Issued/Revised:</b> January 16, 2003  <b>Approved:</b>

## Policy

All employees shall use good judgment when incurring expenses to be paid by the City. City employees will be reimbursed for travel, conference and subsistence expenses incurred in connection with City business.

## Procedures

### 1. Authorization:

- a. Authorization for reimbursement will be granted only for which a clear benefit to the City is apparent. Reimbursement for a spouse is not authorized.
- b. Unless approved by the department director, no more than one City employee shall attend the same meeting or conference at City expense.
- c. Unless specifically included in the adopted budget, all out-of-state travel must be approved by the department director.
- d. City business outside the continental United States will be subject to prior approval by the Chief Administrative Officer.

All attendance at major conferences or meetings (including travel) that can be anticipated in advance of a given fiscal year should be included in the budget request. At the discretion of the department director, release time may be given for work-related meetings or conferences where an employee pays his/her own expenses. Whenever possible, City personnel whose participation is specifically requested by an outside organization shall make an effort to have that organization reimburse a portion or all of the expense involved.

Any exceptions to the above shall be approved in writing by the Chief Administrative Officer.

## Reimbursement

### 1. No reimbursement shall be provided for travel or expenses until:

- a. Such travel or expenses have been authorized as set forth under "Policy" above, and Finance Form 57, "Travel Request and Claim for Reimbursement" has been properly prepared, approved, and submitted to the Finance Division; and
- b. The travel evaluation section of Finance Form 57 has been completed.

Expenses paid by means of a City credit card must also be indicated on Form 57 for information purposes, but excluded from the amount to be reimbursed.

2. **Reimbursement shall be subject to the following provisions:**

a. **Transportation:**

- (1) **Private Automobile.** Reimbursement will be in accordance with Administrative Order 2-2.
- (2) **Travel Agent Services.** All travel services must be secured through the City's approved travel agent. Each division is authorized to make its own travel arrangements, provided funding is appropriated in the proper budget account. Travel services include air, rail and bus transportation, lodgings, and automobile rental.
- (3) Reimbursement will be authorized for the least expensive mode of transportation. Employees choosing a more expensive mode of transportation will be responsible for the additional cost.

b. **Lodging:**

- (1) **General Provisions.** Reimbursement will be made for the cost of lodging required to conduct City business. Dated receipts, and meeting and travel schedules must be provided with the reimbursement request. Lodging will be provided for the night prior to the commencement of the meeting if the hour set for the start of the meeting is such that the claimant would have had to leave home prior to 6 a.m. Lodging may be provided following the meeting if the claimant could not have arrived at his/her home prior to 11 p.m.
- (2) **Rate of Reimbursement.** Lodging reimbursement shall be based on the single room rate charged at the headquarters hotel for the conference, or the hotel most proximate to the site of the meetings. If the hotel charges more than one rate for single accommodations, the employee shall be entitled to reimbursement for no more than the second least expensive rate. This policy does not preclude the employee from securing more expensive accommodations; it simply establishes the maximum reimbursement that will be afforded by the City. In the event that the employee occupies the room with family members or other non-authorized persons, the employee shall be reimbursed for the rate afforded for single occupancy. In the absence of such verification of the single rate, the employee shall be reimbursed at the current federal reimbursement rate.
- (3) **In-Lieu Payment.** If an employee stays with a friend or a relative while attending a professional conference or other out-of-town meeting, the employee may be reimbursed for taking his/her host to dinner in lieu of lodging cost. The total amount to be reimbursed shall not exceed the current federal per diem maximum lodging amount.
- (4) **Savings Due to Extended Stay.** Frequently, air fare costs can be significantly reduced when a traveler stays through a Saturday night on a trip and does not return until the following Sunday. In such an event, if the savings that can be accrued by staying one or

two extra days is greater than the additional cost for hotel/motel accommodations, meals and other costs, employees are authorized to stay this additional time. An analysis or explanation of the cost savings should be submitted with the Form 57.

c. **Subsistence.**

The allowance for meals shall be calculated under either the per diem option or the actual cost option, as described below. However, the method selected for reimbursement must be used on a full day basis (either all meals at per diem or all at actual cost).

**Per Diem Option.** This allowance for meals, including gratuity, shall not exceed the federal per diem in effect at the time the expense is incurred. The current per diem amounts are as follows:

Breakfast	\$ 9.00
Lunch	14.00
Dinner	<u>19.00</u>
	\$ 42.00

**Actual Cost Option.** This allowance for meals shall be for the amount expended, not to exceed the limits below. Receipts must be provided for meals in order for reimbursement to be provided. The current maximum amounts allowed under the actual cost option are as follows:

Breakfast	\$ 11.00
Lunch	15.00
Dinner	<u>22.00</u>
	\$ 48.00

No allowances, under either option, shall be made for in-flight meals, meals included within registration fees (including "continental breakfasts") paid by the City, or meals otherwise provided by someone else. Breakfast is not subject to an allowance on the day of departure unless the trip starts prior to 7 a.m. Dinner is not subject to allowance on the day of return, unless the trip ends later than 8 p.m.

Individual reimbursement under the actual cost option may exceed the amounts indicated above if one of the following conditions exists:

- (1) A meal is a scheduled event on the program or conference and a receipt or other evidence is submitted to document the amount above the standard allowance.
- (2) There are extraordinary and unique circumstances. Such requests must be accompanied by an appropriate receipt, written justification, and be approved by the department director prior to submitting a reimbursement claim.



No reimbursement shall be paid for meals served during in-town meetings called by City staff unless it is necessary to schedule such meetings between 6 a.m. and 8 a.m., 12 noon and 1 p.m., or 5 p.m. and 7 p.m. However, reimbursement for meal expenses incurred in connection with City business (other than expenses incurred for travel, conferences, or meals served during in-town meetings called by City staff) shall only be made for meal expenses incurred in connection with City business at which the employee's attendance is necessary, and which must be scheduled before 7 a.m., between 12 noon and 1 p.m., or which ends after 8 p.m. The amount reimbursed shall not exceed the established standard per diem allowance.

- d. **Taxi, Limousine, and Bus Fares.** Reimbursement for travel between lodging, meals, and meeting sites will be allowed, but the employee shall attempt to obtain lodging and meals within walking distance of the meeting site, if this is the most economical alternative. Reimbursement will be provided for taxi, limousine, or bus fares when such transportation is necessary in the conduct of City business. Such expenses shall be itemized in detail on a Travel and Expense Reimbursement Request (Form 57).
  - e. **Tips, Gratuities, and Service Fees.** Customary tips of up to 15 percent will be permitted on reimbursable items, except meal allowance. Tips shall be itemized on Form 57.
  - f. **Registration Fees.** Fees charged for registration at a conference or meeting, which an employee is authorized to attend, are reimbursable. Receipts or other acceptable evidence of the amount of the fee shall be submitted with a Form 57. When possible, the employee shall make advance registration through normal requisition procedures, and indicate this on a Form 57.
  - g. **Communications.** Telephone and FAX charges will be reimbursed only for official calls and communication. Toll calls charged against a City calling card should not be indicated on Form 57.
  - h. **Parking, Garage, and Toll Charges.** Parking, garage, and toll expenses will be reimbursed when an automobile is used for transportation, except in the case of mileage allowances within the Fresno area. Receipts shall be obtained and filed.
  - i. **Laundry and Dry Cleaning.** An allowance of \$2 per diem will be allowed for laundry and dry cleaning commencing the third day of a trip.
  - j. **Other.** Other expenses will be reimbursed provided that it can be shown that they were necessary for successful completion of the City's business, are itemized in detail on Form 57 and approved by the department director.
3. **Expenses that will not be reimbursed are as follows:**
- a. No purchase of personal items or expenses for purely personal services shall be reimbursed. In addition, expenses for non-City employees, including consultants, are not reimbursable.
  - b. Form 57 must include only those expenses allowable for the employee. In addition to lodging expenses, other charges, which reflect costs related to family or other non-authorized persons,

must be documented in such a way as to identify clearly that portion incurred by the employee, and only that portion will be reimbursed.

**4. General**

- a. In a case where a receipt is called for but is impossible to obtain, a statement to that effect shall be attached to Form 57 and the reason given. In the absence of satisfactory explanation, the amount involved will be disallowed.
- b. The Chief Administrative Officer and the Controller reserve the right to refuse payment for any item of expense if it appears unreasonable.
- c. It is suggested that employees keep a chronological list of the cost of each meal and other necessary items of expense in the event that questions should arise regarding any of these items.
- d. Travel cash advance for official City business may be authorized by the department director or his/her designee. Form 57 shall be submitted to the Finance Division to receive an advance of up to 75 percent of the anticipated travel expense. Upon the return from City business, the employee shall, within five working days, complete a Form 57 showing actual travel costs.
- e. Exceptions to the provisions of this Administrative Order dealing with travel, conference and subsistence expenses may be authorized by the Chief Administrative Officer, if determined such exception is justifiable and in the best interests of the City.

<b>Subject:</b> City Payment for Travel on City Business	<b>Number:</b> 1-5
	<b>Date Issued/Revised:</b> April 1, 1999
<b>Responsible Department:</b> DAS—Finance	<b>Approved:</b>

## Purpose

The purpose of this policy is to avoid any actual, potential or apparent conflict of interest between the City, its employees and an independent third party that has an interest in the result of employees' travel on City business.

## Policy/Procedures

It is the policy of the City of Fresno that employees who travel on City business shall do so at City expense and not at the expense of a third party. Employees who travel on City business, including travel for the purposes of reviewing other agencies' practices, procedures or development projects, shall do so at City expense. Employees shall not travel on City business at the expense of developers, consultants, or providers of goods and services. Any exception to this policy must be approved by the City Manager.

<b>Subject:</b> Attendance at Conferences and Meetings of Professional Organizations	<b>Number:</b> 1-6
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> DAS—Finance	<b>Approved:</b>

## Purpose

To establish uniform standards and procedures for the attendance at conferences and meetings by City employees.

## Procedures

1. Employees of the City of Fresno may attend conferences, conventions and meetings of governmental employees when the department head determines:
  - a. It can be shown that attendance is of public benefit.
  - b. The absence of the employee will not adversely affect the City operations.
  - c. There are sufficient funds in training and travel accounts to accomplish the purpose.
2. Employees attending such conferences will be selected by the department director.

<b>Subject:</b> Cash Travel Advance	<b>Number:</b> 1-7
<b>Responsible Department:</b> DAS—Finance	<b>Date Issued/Revised:</b> December 1, 1998
	<b>Approved:</b>

## Purpose

To establish a uniform procedure for obtaining cash travel advances.

## Procedures

1. Cash advances for travel are authorized for official City business provided that the budgeted request is approved by the department director and City Controller.
2. In all cases, the criteria for selecting the mode of transportation should be whatever is the greatest convenience to the City at the minimum of cost. Members of the staff sharing hotel rooms should request individual bills so that each can report his/her own expenses. If an employee's spouse share his/her room, the bill should indicate the single room rate for reimbursement.
3. Travel reports should be filed within ten days after return. A receipt must be obtained for all single expenditures that exceed \$25 and be submitted along with other receipts to substantiate expense reports.
4. The statement and claim must be signed by the Council Member or employee and approved by the appropriate department director or other authorized persons.
5. Council Members and employees, when traveling on official City business, are encouraged to utilize their personal credit cards and/or cash for all expenses, and then to request reimbursement for such expenses. However, in circumstances where the use of such credit cards and/or cash is deemed impractical, it shall be possible for an employee to obtain an advance of City funds for travel expenses in the following manner:
  - a. When requesting a cash advance, a Travel and Expense Reimbursement Request form shall be prepared in proper form with all required signatures for an amount not to exceed 75 percent of the anticipated travel expenses. Specify the name of the employee traveling, the destination and the inclusive dates of travel.
6. Upon the presentation of the completed Travel and Expense Reimbursement Request form to the Finance Division, a check may be issued to the requesting employee written against the City account established for this purpose.
7. Within five working days after returning from travel on City business for which an advance of City funds has been made, the employee receiving this advance must present, to the Finance Division, all unexpended cash from the advance along with the completion of the Travel and Expense Reimbursement Request form.

<b>Subject:</b> <b>Local Government-Enhanced Airfare Program</b>	<b>Number:</b> 1-8
	<b>Date Issued/Revised:</b> May 15, 2003
<b>Responsible Department:</b> <b>Finance</b>	<b>Approved:</b>

## Purpose

The purpose of this policy is to establish guidelines, policies and procedures for the accounting, monitoring, and general oversight of functions for the Local Enhanced Government Airfare Program for use by the City of Fresno in conjunction with air travel related to City business. The City of Fresno has the ability to make airline reservations through specific authorized travel agencies and to receive heavily discounted unrestricted airfares using a business travel account with American Express. The flights may be changed without a penalty and do not require a Saturday night stay, however, travel is limited between certain California and national city pairs. A complete listing of city pairs is attached and can also be accessed through [www.cacities.org/travel](http://www.cacities.org/travel). Rates are set each fiscal year beginning July 1 and are effective through June 30 of the following year. (Please note that the current participating airlines and other airlines may join or leave the program at any time. Please check with your travel agency to determine if there are any updates to the travel program for flights and carriers.)

## Policy

1. The City Controller is designated to be the responsible party for the City of Fresno's American Express Business Travel Account (BTA). This is in conjunction with participation by the City of Fresno in the Local Government Airfare Program. The Controller's role is to ensure accounting, monitoring, and general oversight of compliance with this policy.
2. Travel arrangements can only be made for each department/division for travel on official City business for the City of Fresno.
3. In order to obtain the discounted fare, all persons making travel arrangements must use any of the official authorized travel agencies to make air reservations. In Fresno, there are three agencies designated: Bulldog Travel, Mark Lewis Travel, and Travel Shoppe. We established accounts with each of the listed agencies. The contact names for these agencies can be found at the website <http://www.ofa.dgs.ca.gov/services/travelagencies.htm>. The agencies listed have completed a request for qualification process and have been authorized by the State of California to participate in the program. The period of this authorization is from July 1 through June 30 of each year.
4. These discount fares are for existing authorized travel related to City business, for City employees only.
5. The Finance Department will follow existing established Accounts Payable internal control procedures for approval, documentation and payment of airfare travel charges.

6. Unauthorized use of a City credit card will result in disciplinary measures to the fullest extent of the law.
7. Employees are responsible for complying with all Administrative Orders pertaining to travel.
8. Designated department employees are responsible for making the air reservations and accurate completion of Request for Air Travel Forms, which are to be faxed to the travel agency selected and to Accounts Payable.
9. Payments for air travel will be made by voucher payable to American Express originating in the Finance Department on a monthly basis.
10. The travel agency fee for each reservation made is \$25.00.

## Procedures

1. The "Authorized Travel Reservationist" form must be completed and on file with the travel agency and the Finance Department. This form shows who is approved to make travel arrangements for your department/division and the signature and name of the person who is authorized to approve travel for your department.
2. Make your air reservation for round trip travel between qualified city pairs for domestic travel related to City business by calling any of the authorized travel agencies.
3. Complete the "Request for Air Travel" form for **each** employee requesting a reservation and fax a copy to the travel agency and send one copy to Finance. Notify Accounts Payable in addition to the travel agency for any changes or cancellations to your travel.

This procedure policy will be reviewed periodically.

### Attachments:

Request for Air Travel Form  
Authorized Travel Reservationist Form  
California City Pair Listing/Out of State City Pair Listing

**CITY OF FRESNO  
REQUEST FOR AIR TRAVEL  
Local Governmental Enhanced Airfare Program**

FAX A COPY TO (authorized travel agency and Finance Department):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**Complete All Sections:**

Name of Employee Traveling: \_\_\_\_\_

Employee Work Location Address: \_\_\_\_\_

Contact Phone Number: \_\_\_\_\_ Contact FAX Number: \_\_\_\_\_

Date of Reservation: \_\_\_\_\_

Reason for Travel: \_\_\_\_\_

Travel Departure City and Destination: \_\_\_\_\_

Hotel Name/Location/Room Type/Special Requests: \_\_\_\_\_

Special Instructions or Additional Information: \_\_\_\_\_

Deliver Tickets To: \_\_\_\_\_

Fund Number: \_\_\_\_\_ Organization Number: \_\_\_\_\_

Reservation Made By (include phone number): \_\_\_\_\_

Reservation Approved By: \_\_\_\_\_  
(Signature Required)



**Enhanced Government Airfare Program  
Authorized Travel Reservationist(s)**

Date: \_\_\_\_\_

Department Name: \_\_\_\_\_ Fund Number: \_\_\_\_\_

Division Name: \_\_\_\_\_ Organization Number: \_\_\_\_\_

Phone Number: \_\_\_\_\_ FAX Number: \_\_\_\_\_

Travel **arrangements** for the above department/division can be **made** by:

Name and Title	Signature

Travel **requests** for the above department/division can be **approved** by:

Name and Title	Signature

If there are any changes to the above, please send a copy to Finance. Thanks.

Approved by:

\_\_\_\_\_  
Department Director

\_\_\_\_\_  
Date

**CALIFORNIA CITY PAIRS**  
***One-Way Fares***

<b>CITY PAIRS</b>	<b>SOUTHWEST</b>	<b>UNITED</b>
Burbank-Eureka/Arcata		\$91
Burbank-Monterey		\$97
Burbank-Oakland	\$84	
Burbank-San Jose	\$81	
Los Angeles-Bakersfield		\$91
Los Angeles-Carlsbad		\$64
Los Angeles-Chico		\$105
Los Angeles-Eureka/Arcata		\$78
<b>Los Angeles-Fresno</b>		\$61
Los Angeles-Imperial-El Centro		\$100
Los Angeles-Modesto		\$107
Los Angeles-Monterey		\$122
Los Angeles-Oakland		\$48
Los Angeles-Ontario		\$64
Los Angeles-Palm Springs		\$90
Los Angeles-Redding		\$109
Los Angeles-San Diego		\$50
Los Angeles-San Francisco		\$119
Los Angeles-San Jose	\$49	
Los Angeles-San Luis Obispo		\$91
Los Angeles-Santa Ana (Orange County)		\$85
Los Angeles-Santa Barbara		\$64
Los Angeles-Santa Maria		\$103
Los Angeles-Santa Rosa		\$126
Oakland-Ontario	\$84	
Oakland-Palm Springs		\$121
Oakland-Santa Ana (Orange County)	\$91	
Oakland-Santa Barbara		\$118
Ontario-Eureka/Arcata		\$85
<b>Ontario-Fresno</b>		\$86
Ontario-Monterey		\$94
Ontario-Redding		\$80
Ontario-San Jose	\$81	
Ontario-San Luis Obispo		\$102
Ontario-Santa Rosa		\$130
Sacramento-Bakersfield		\$91
Sacramento-Burbank	\$84	
Sacramento-Crescent City		\$107
Sacramento-Eureka/Arcata		\$125
<b>Sacramento-Fresno</b>		\$121

CITY PAIRS	SOUTHWEST	UNITED
Sacramento-Imperial-El Centro		\$116
Sacramento-Los Angeles		\$45
Sacramento-Monterey		\$95
Sacramento-Ontario	\$84	
Sacramento-Oxnard		\$119
Sacramento-Palm Springs		\$139
Sacramento-San Diego	\$84	
Sacramento-San Francisco		\$109
Sacramento-San Luis Obispo		\$83
Sacramento-Santa Ana (Orange County)		\$147
Sacramento-Santa Barbara		\$120
Sacramento-Santa Maria		\$143
San Diego-Bakersfield		\$77
San Diego-Chico		\$91
San Diego-Eureka/Arcata		\$80
<b>San Diego-Fresno</b>		\$162
San Diego-Monterey		\$120
San Diego-Oakland	\$84	
San Diego-Ontario		\$71
San Diego-Redding		\$95
San Diego-San Francisco		\$54
San Diego-San Jose	\$49	
San Diego-San Luis Obispo		\$109
San Diego-Santa Barbara		\$86
San Diego-Santa Rosa		\$85
San Francisco-Bakersfield		\$110
San Francisco-Burbank		\$120
San Francisco-Chico		\$92
San Francisco-Crescent City		\$105
San Francisco-Eureka/Arcata		\$95
<b>San Francisco-Fresno</b>		\$120
San Francisco-Monterey		\$95
San Francisco-Ontario		\$120
San Francisco-Palm Springs		\$121
San Francisco-Redding		\$91
San Francisco-San Luis Obispo		\$125
San Francisco-Santa Ana (Orange County)		\$122
San Francisco-Santa Barbara		\$120
Santa Ana (Orange County)-Eureka/Arcata		\$86
<b>Santa Ana (Orange County)-Fresno</b>		\$80
Santa Ana (Orange County)-Monterey		\$131
Santa Ana (Orange County)-Redding		\$120
Santa Ana (Orange County)-San Jose	\$49	

CITY PAIRS	SOUTHWEST	UNITED
Santa Ana (Orange County)-San Luis Obispo		\$121
Santa Barbara-San Jose		\$120

**OUT-OF-STATE DESTINATIONS**  
***One-Way Fares***

<b>CITY PAIRS</b>	<b>SOUTHWEST</b>	<b>UNITED</b>
Burbank-Las Vegas NV	\$81	
Burbank-Phoenix AX	\$67	
Burbank-Reno NV		\$77
Burbank-San Antonio TX		\$254
Burbank-Seattle WA		\$128
<b>Fresno-Dallas/Ft Worth TX</b>		\$448
<b>Fresno-Denver CO</b>		\$424
<b>Fresno-Las Vegas NV</b>		\$90
<b>Fresno-Phoenix AZ</b>		\$262
<b>Fresno-Seattle WA</b>		\$137
Los Angeles-Albuquerque NM	\$99	
Los Angeles-Atlanta GA		\$162
Los Angeles-Baltimore-Wash MD		\$252
Los Angeles-Boston MA		\$282
Los Angeles-Bozeman MT		\$213
Los Angeles-Chicago IL Midway	\$154	
Los Angeles-Chicago-O'Hare IL		\$292
Los Angeles-Colorado Springs CO		\$180
Los Angeles-Columbus OH		\$322
Los Angeles-Dallas/Ft Worth TX		\$253
Los Angeles-Denver CO		\$158
Los Angeles-Honolulu HI		\$350
Los Angeles-Indianapolis IN		\$312
Los Angeles-Kansas City Int'l MO	\$132	
Los Angeles-Las Vegas NY		\$40
Los Angeles-Miami FL		\$180
Los Angeles-Minneapolis MN		\$322
Los Angeles-Nashville TN		\$174
Los Angeles-New Orleans LA		\$217
Los Angeles-Newark NJ		\$253
Los Angeles-NYC Kennedy NY		\$253
Los Angeles-Orlando FL		\$210
Los Angeles-Philadelphia PA		\$160
Los Angeles-Phoenix AZ		\$41
Los Angeles-Portland OR	\$90	
Los Angeles-Reno NV		\$53
Los Angeles-Salt Lake City UT	\$77	
Los Angeles-San Antonio TX		\$151
Los Angeles-Seattle WA		\$92
Los Angeles-Spokane WA		\$98

CITY PAIRS	SOUTHWEST	UNITED
Los Angeles-Tucson AZ		\$39
Los Angeles-Washington Dulles VA		\$399
Los Angeles-Washington Nat'l DC		\$399
Oakland-Albuquerque NM		\$104
Oakland-Amarillo TX		\$293
Oakland-Atlanta GA		\$209
Oakland-Baltimore-Wash MD		\$370
Oakland-Chicago-O'Hare IL		\$209
Oakland-Dallas/Ft Worth TX		\$569
Oakland-Denver CO		\$265
Oakland-Detroit Metro MI		\$346
Oakland-Houston Int'l TX		\$171
Oakland-Kansas City Int'l MO		\$156
Oakland-Knoxville TN		\$176
Oakland-Las Vegas NV	\$77	
Oakland-Minneapolis MN		\$352
Oakland-Nashville TN		\$164
Oakland-New Orleans LA		\$180
Oakland-Omaha NB		\$314
Oakland-Orlando		\$190
Oakland-Phoenix AZ		\$76
Oakland-Portland OR	\$67	
Oakland-Salt Lake City UT		\$65
Oakland-San Antonio TX		\$284
Oakland-Seattle WA		\$60
Oakland-St Louis Int'l MO		\$105
Oakland-Tucson AZ		\$83
Oakland-Washington Dulles VA		\$385
Oakland-Washington Nat'l DC		\$385
Ontario-Atlanta GA		\$292
Ontario-Chicago-O'Hare IL		\$292
Ontario-Dallas/Ft Worth TX		\$586
Ontario-Las Vegas NV	\$81	
Ontario-Oklahoma City OK		\$155
Ontario-Phoenix AZ	\$67	
Ontario-Reno NV		\$86
Ontario-Seattle WA		\$92
Ontario-Tucson AZ		\$74
Sacramento-Albuquerque NM		\$112
Sacramento-Atlanta GA		\$269
Sacramento-Austin TX		\$280
Sacramento-Baltimore-Wash MD		\$363
Sacramento-Boise ID		\$128

CITY PAIRS	SOUTHWEST	UNITED
Sacramento-Boston MA		\$353
Sacramento-Charlotte NC		\$166
Sacramento-Chicago-O'Hare IL		\$316
Sacramento-Colorado Springs CO		\$285
Sacramento-Columbus OH		\$156
Sacramento-Dallas/Ft Worth TX		\$331
Sacramento-Denver CO		\$285
Sacramento-Detroit Metro MI		\$233
Sacramento-Honolulu HI		\$520
Sacramento-Houston Int'l TX		\$338
Sacramento-Indianapolis IN		\$200
Sacramento-Kansas City Int'l MO		\$136
Sacramento-Las Vegas NV	\$98	
Sacramento-Little Rock AR		\$156
Sacramento-Memphis TN		\$260
Sacramento-Miami FL		\$275
Sacramento-Milwaukee WI		\$220
Sacramento-Minneapolis MN		\$331
Sacramento-Nashville TN		\$158
Sacramento-New Orleans LA		\$171
Sacramento-Newark NJ		\$285
Sacramento-NYC Kennedy NY		\$285
Sacramento-NYC LaGuardia NY		\$285
Sacramento-Oklahoma City OK		\$180
Sacramento-Orlando FL		\$168
Sacramento-Philadelphia PA		\$330
Sacramento-Phoenix AZ		\$95
Sacramento-Portland OR	\$67	
Sacramento-Raleigh NC		\$350
Sacramento-Richmond VA		\$362
Sacramento-Salt Lake City UT		\$141
Sacramento-San Antonio TX		\$286
Sacramento-Seattle WA		\$61
Sacramento-St Louis Int'l MO		\$320
Sacramento-Tampa FL		\$270
Sacramento-Tucson AZ		\$127
Sacramento-Washington Dulles VA		\$390
Sacramento-Washington Nat'l DC		\$390
San Diego-Chicago-O'Hare IL		\$316
San Diego-Las Vegas NV	\$67	
San Diego-Phoenix AZ	\$67	
San Diego-Reno NV		\$54
San Diego-Seattle WA		\$90

CITY PAIRS	SOUTHWEST	UNITED
San Francisco-Albuquerque NM		\$130
San Francisco-Atlanta GA		\$269
San Francisco-Baltimore-Wash MD		\$250
San Francisco-Boston MA		\$390
San Francisco-Chicago-O'Hare IL		\$316
San Francisco-Cincinnati OH		\$318
San Francisco-Dallas/Ft Worth TX		\$295
San Francisco-Denver CO		\$248
San Francisco-Detroit Metro MI		\$220
San Francisco-Honolulu HI		\$520
San Francisco-Houston Int'l TX		\$238
San Francisco-Kansas City Intl MO		\$144
San Francisco-Knoxville TN		\$237
San Francisco-Las Vegas NV		\$104
San Francisco-Madison WI		\$250
San Francisco-Miami FL		\$188
San Francisco-Minneapolis MN		\$220
San Francisco-Nashville TN		\$155
San Francisco-New Orleans LA		\$395
San Francisco-Newark NJ		\$251
San Francisco-NYC Kennedy NY		\$246
San Francisco-Orlando FL		\$330
San Francisco-Pasco-Richland WA		\$121
San Francisco-Philadelphia PA		\$385
San Francisco-Phoenix AZ		\$77
San Francisco-Pittsburgh PA		\$366
San Francisco-Portland OR		\$96
San Francisco-Raleigh NC		\$169
San Francisco-Reno NV		\$87
San Francisco-Rochester NY		\$169
San Francisco-Salt Lake City UT		\$120
San Francisco-Seattle WA		\$99
San Francisco-St Louis Int'l MO		\$349
San Francisco-Washington Nat'l DC		\$406
San Francisco-Washington Dulles VA		\$406
San Jose-Albuquerque NM		\$150
San Jose-Atlanta GA		\$319
San Jose-Chicago-O'Hare IL		\$316
San Jose-Dallas/Ft Worth TX		\$360
San Jose-Denver CO		\$296
San Jose-Detroit Metro MI		\$336
San Jose-Houston Int'l TX		\$238
San Jose-Kansas City Int'l MO		\$150
San Jose-Las Vegas NV	\$62	
San Jose-Phoenix AZ		\$82



CITY PAIRS	SOUTHWEST	UNITED
San Jose-Portland OR	\$67	
San Jose-Reno NV	\$54	
San Jose-Seattle WA		\$46
San Jose-Washington Nat'l DC		\$390
Santa Ana (Orange County)-Chicago-O'Hare II		\$312
Santa Ana (Orange County)-Phoenix AZ		\$283

Updated 04/08/03

<b>Subject:</b> Credit Card Use Policy	<b>Number:</b> 1-9
<b>Responsible Department:</b> Finance	<b>Date Issued/Revised:</b> July 25, 2003 <b>Approved:</b>

## Purpose

To establish the issuance, accounting, monitoring, retrieval and general oversight of the credit card use policy for the City of Fresno.

## Policy

1. The City Controller is designated to be responsible for the City of Fresno's credit card issuance, accounting, monitoring, retrieval, and for general oversight of compliance with this credit card use policy.
2. City credit cards may be used only by those authorized and only for the purchase of goods or services for the official business of the City of Fresno.
3. All authorized users of City credit cards shall submit documentation detailing the goods or services purchased, the cost of the goods or services, the date of the purchase and the official business for which it was purchased.
4. Upon termination of an employee who has been issued a City credit card, that employee shall immediately return the credit card to the City of Fresno, Finance Department.
5. An authorized employee, who is issued a credit card, is responsible for its protection and custody, and shall immediately notify the bank card issuer and the City Controller if the credit card is lost or stolen.
6. The Finance Department will follow established Accounts Payable internal control procedures for approval, documentation and payment of credit card charges.
7. Unauthorized use of a City credit card shall result in disciplinary measures to the fullest extent of the law.

## Procedures

### 1. Issuance of Credit Cards

- a. Credit cards will be issued to the Mayor, City Manager, Assistant City Managers, Department Directors and all others approved by the Controller. The cards will be issued to individuals, in the name of the individual; there will be no departmental cards with the exception of the Police Department. Only one card will be issued in an individual's name. Cards are nontransferable.
- b. The authorized credit limit of all credit cards issued by the City of Fresno shall not exceed \$5,000, with the exception of the City Manager, who has an authorized credit limit of \$10,000. Exceptions may be made with City Manager approval.

### 2. Card Use

- a. The credit card shall be used for the purchase of goods and services that are for the official business of the City of Fresno when normal Accounts Payable procedures cannot be utilized, e.g., fuel purchases, travel-related expenses, conference registration fees, etc. **(see Administrative Orders 1-4, "Expenses on City Business," and 1-5, "City Payment for Travel on City Business")**. Misuse of the card will subject the card holder to disciplinary action in accordance with City policies and procedures relating to disciplinary action and termination for cause.
- b. Purchases made via the credit card must comply with the City's purchasing and expenditure policies. The card in no way changes such policies.
- c. Anyone issued a City of Fresno credit card shall sign a Credit Card User Agreement, thereby agreeing to abide by adopted City credit card policies and procedures. The card holder is responsible for assuring that all credit card charges are accurate and consistent with policy guidelines.

### 3. Card Holder Responsibilities

- a. The card holder must:
  - (1) Ensure the card is used only for legitimate business purposes.
  - (2) Maintain the card in a secure location at all times.
  - (3) Not allow other individuals to use the card.
  - (4) Adhere to City purchase limits and restrictions.
  - (5) Obtain all sales slips, register receipts, and/or credit card slips and provide same to the Finance Department for reconciliation and approval of transactions.

- (6) Attempt to resolve disputes related to billing errors with the vendor directly or in conjunction with the Finance Department.
- (7) Ensure that the appropriate credit is issued for disputed items or billing errors on a subsequent credit card statement.
- (8) Immediately report a lost or stolen card to the card issuer and notify the Finance Department of the lost or stolen card at the first opportunity during business hours.
- (9) Return the card to the Finance Department upon terminating employment with the City.

**4. Card Holder Liability**

- a. The credit card is a corporate charge card that will not affect the card holder's personal credit; however, it is the card holder's responsibility to ensure that the card is used within stated guidelines, policies and procedures of the City. Failure to comply with program guidelines may result in the permanent revocation of the card, charge-back of an improper or unsupported transaction to the card holder for reimbursement to the City, notification of the situation to management, and further disciplinary measures, which may include termination.

**5. Card Holder Termination or Card Cancellation**

- a. The City is required to close an account if a card holder:
  - (1) Terminates City employment.
  - (2) Moves to a new position in which a credit card is not required.
- b. The City reserves the right to cancel a credit card for any of the following reasons:
  - (1) The card is used for personal or unauthorized purposes.
  - (2) The card is used to purchase any material or service that violates policy, law or regulation pertaining to the City.
  - (3) The card holder allows the card to be used by another individual.
  - (4) The card holder fails to provide the required receipts and supporting documentation.
  - (5) The card holder does not adhere to all of the appropriate City Administrative Orders, policies and procedures.

**6. Sample of Items That Can Be Purchased With the Credit Card:**

- a. Airfares
- b. Conference registration
- c. Lodging and meals

- d. Rental cars and gas
- e. Lunch and dinner meeting meals
- f. Minor emergency office supplies
- g. Training books

**7. Sample of Items That Cannot Be Purchased With the Credit Card:**

- a. Cash advances
- b. Standard merchant category exclusions (e.g., liquor or tobacco products)
- c. Personal use

**8. Credit Card Use Audits**

The Finance Department will make periodic random audits of card use and charges for appropriateness. Areas to be monitored include, but are not limited to, compliance with this and other related Administrative Orders. Excessive and/or non-use by card holders will also be monitored.

## Credit Card User Agreement

1. The credit card is to be used only to make purchases related to legitimate business for the City of Fresno.
2. The credit card must be used in accordance with the provisions of **Administrative Orders 1-9, Credit Card Use Policy; 1-4, Expenses on City Business; and 1-5, City Payment for Travel on City Business.**

Violation of these requirements will result in disciplinary measures to the fullest extent of the law.

**I have read and understand the City of Fresno's credit card policies and procedures and related Administrative Orders, and I agree to adhere to them.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_ Phone: \_\_\_\_\_

<b>Subject:</b> Suspected Misappropriation, Fraud and Other Similar Irregularities	<b>Number:</b> 1-10
	<b>Date Issued/Revised:</b> September 8, 2003
<b>Responsible Department:</b> Finance—Internal Audit	<b>Approved:</b>

## Purpose

To establish a Citywide policy regarding reporting and investigating suspected fraud, misappropriation of City assets or other irregularities.

## Policy

The City of Fresno desires to create an environment in which employees and/or citizens are encouraged to report any suspicions of fraud, misappropriation of City assets or other irregularities. This policy provides management and Internal Audit staff with specific guidelines and responsibilities regarding appropriate actions in conducting investigations of alleged fraud and similar improprieties.

## Definitions

The terms “fraud,” “misappropriation” and “other irregularities” include, but are not limited to:

1. Forgery or alteration of checks, drafts, promissory notes and securities;
2. Any misappropriation of funds, securities, supplies or any other asset;
3. Any irregularity in the handling or reporting of money transactions;
4. Disappearance of furniture, fixtures and equipment;
5. Seeking or accepting anything of material value from vendors, consultants or contractors doing business with the City in violation of the City's Charter, Administrative Order Manual, etc.;
6. Any computer-related activity involving the alteration, destruction, forgery or manipulation of data for fraudulent or malicious purposes or misappropriation of City-owned software; and
7. Any similar or related irregularity.

Included in the above definition is any irregularity or suspicion of an irregularity involving vendors, contractors, consultants, City personnel, agencies (or employees thereof), agents, servicing agents, unknown parties or City property.

## Applicability

This procedure applies to all employees of the City of Fresno.

It is intended that all managers are aware of this procedure, since good business practice dictates that every suspected fraud, misappropriation or other irregularities are promptly identified and investigated.

## General Policy and Responsibilities

1. It is the City's intent to fully investigate any suspected acts of fraud, misappropriation or other irregularity. The investigation will be conducted regardless of the suspected wrongdoers length of service, position, title or relationship with the City. Any employee who commits a criminal act will be referred for prosecution.
2. Department Directors or managers are responsible for instituting and maintaining a system of internal controls to provide reasonable assurance of the prevention and detection of fraud, misappropriations and other irregularities. They should be familiar with the types of improprieties that might occur within their area of responsibility and be alert for any indication that any fraud, misappropriation or irregularity is or was in existence.
3. When a fraud, misappropriation or other irregularity is detected or reasonably suspected, Internal Audit should be contacted immediately. Internal Audit will then notify the City Controller, City Manager and City Attorney's Office. The City Attorney will determine the extent of any potential criminal activity. If any potential criminal activity exists, the Fresno Police Department will conduct the investigation, assisted by Internal Audits. If no potential criminal activity exists, the matter will be reviewed by Internal Audit, with assistance from the City Attorney's Office, as appropriate.
4. The Principal Internal Auditor will notify the City Controller, City Manager and the Department Director of a reported allegation of fraudulent conduct, upon the start of the investigation, to the extent practical. Throughout the investigation these officials will be informed of pertinent investigative findings.
5. Upon conclusion of the investigation, the results will be reported to the appropriate City officials.
6. The City intends to pursue every effort to obtain recovery of City losses from the offender, including notification of the bonding company, court-ordered restitution or other appropriate source(s).

## Procedures

1. A City employee or member of the public who suspects dishonest or fraudulent activity is to notify the City's Principal Internal Auditor. Callers may remain anonymous if they wish. **All information received will be treated in a confidential manner, including the name of the reporting person, if so desired by that person, to the extent permitted by law.**



2. It is the City's intent to protect any employee or person who discloses information of suspected violation of this policy from retaliatory actions by other individuals, employees, managers, agencies or independent contractors.
3. City employees not directly involved in an investigation shall not attempt to contact the suspected individual in an effort to conduct interviews or direct an investigation to determine facts or demand restitution.
4. Employees will cooperate with the investigative process and with law enforcement agencies in the detection, investigation and reporting of conduct covered by this policy, including prosecution of offenders.
5. Great care must be taken in the investigation of suspected improprieties or irregularities so as to avoid mistaken accusations or alerting suspected individuals that an investigation is underway, or making any statements that could provide a basis for a suit for false accusation or other offenses.
6. Employees should not discuss the case unless necessary to the conduct of the investigation and until the same is concluded. The proper response for any inquiries from the suspected individual, his representative or attorney should be, "I am not at liberty to discuss this matter."
7. Information obtained as a result of an investigation is subject to the laws regarding public records and confidentiality.

<b>Subject:</b> Risk Allocation Policy for City Contracts	<b>Number:</b> 2-1
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> DAS—Risk Management	<b>Approved:</b>

## Policy

The lead department is responsible to ensure the inclusion of the City's standard indemnification and insurance provisions in all contracts to which the City is a party. Any deviations from the standardized insurance and indemnification provisions shall be approved by the Risk Manager or Chief Administrative Officer. Disputes shall be arbitrated by the Chief Administrative Officer.

## Procedures

1. The lead department shall include, within each of its draft contracts for standard projects, the standard indemnification and insurance requirements approved by the Risk Manager specifically for those standard projects.
2. Prior to submitting a draft contract for a nonstandard project or a draft contract without standard indemnification or insurance requirements to the City Attorney's Office for review, the lead department must submit the contract to the Risk Manager for his/her review and written approval, or determination of indemnification and insurance requirements. Should the lead department and Risk Management disagree as to insurance and/or indemnification requirements, the draft contract must be submitted with supportive comments from both the user and Risk Management to the Chief Administrative Officer.
3. The lead department shall include, within each of its draft contracts for standard projects, the standard indemnification and insurance requirements approved by the Risk/Safety Manager specifically for those standard projects.
4. Prior to submitting a draft contract for a non-standard project or a draft contract without standard indemnification or insurance requirements to the City Attorney's Office for review, the lead department must submit the contract to the Risk/Safety Manager for his/her review and written approval, or determination of indemnification and insurance requirements. Should the lead department and Risk Management disagree as to insurance and/or indemnification requirements, the draft contract must be submitted with supportive comments from both the user and Risk Management, to the Chief Administrative Officer.
5. Prior to placement of contract approval on the Council agenda, or before presenting it to the person authorized to approve and sign the contract on behalf of the City, the lead department must submit the contract, signed by the other party, along with all insurance certificates required by the contract, to Risk Management for written approval. Following approval by Risk Management, the contract shall be submitted to the City Attorney's Office for review and approval as to form. This process must be completed prior to the City's execution of the contract.

<b>Subject:</b> Transportation Allowance and Mileage Reimbursement Policy	<b>Number:</b> 2-2
	<b>Date Issued/Revised:</b> February 15, 2000
<b>Responsible Department:</b> DAS—Risk Management	<b>Approved:</b>

## Purpose

To establish guidelines for the rental and reimbursement to City employees associated with the use of privately owned vehicles used in the course of official City business.

## Policy

### 1. Basic Policy:

An employee whose full-time duties involve daily travel may be required to use his/her personal vehicle for City purposes and be authorized to receive reimbursement from the City. The City may reimburse the employee for mileage or transportation costs associated with official City business.

Privately owned vehicles used in the course and scope of city business must undergo annual inspection by the Department of Administrative Services.

Employees authorized to receive reimbursement from the City in connection with this program may be required to demonstrate that they are properly licensed by the State of California at any time.

### 2. Emergency Call-Back and Saturday, Sunday, or Holiday Work:

Employees called back to work for any reason, and employees working Saturdays, Sundays, or holidays, whether as a regular shift or overtime shift, will not receive mileage reimbursement for travel between home and work, and work and home.

### 3. Private Vehicle Rental or Mileage Reimbursement:

The four categories listed below apply to a considerable number of employees. Department directors must recommend the most appropriate method of providing for transportation allowances and reimbursement to compensate employees for the use of private vehicles in conducting City business. Once these reimbursement allowances are established and implemented, **department directors will annually review and approve all categories for all employees. Any and all employee category changes must be requested/justified in writing to the Department of Administrative Services, Risk Management Division.**

Category 1. The City Manager receives a transportation allowance under Category 1 of the Private Vehicle Rental Program. The transportation allowance established for this category is \$350 per month.

- Category 2. (A) Assistant City Managers and Department Directors shall receive a transportation allowance under Category 2.
- (B) Assistant Department Directors, Division Managers, and Section Supervisors responsible for twenty-four (24) service functions may receive a Category 2 transportation allowance if appropriate.
- (C) Primary staff representatives to governmental bodies or community organizations requiring numerous off-hour meetings may receive an allowance under Category 2.
- (D) Individuals responsible for work sites involving excessive mileage, frequent evening, weekend and early morning inspection travel may be authorized a transportation allowance under Category 2.
- (E) With the exception of the Assistant City Managers and Department Directors, an annual review of Category 2 claimants is required. This review will verify job responsibilities, mandatory insurance coverage and valid driver's license. This review is the responsibility of the Department of Administrative Services, Risk Management Division, and the applicable department director.
- (F) The transportation allowance established for this category is \$300 per month.
- Category 3. (A) An employee whose assignment includes full-time duties requiring the employee to frequently travel between crews or work sites, but does not require frequent off-hours travel, may be directed to use his/her personal vehicle in the conduct of City business and be authorized reimbursement. Justification for a Category 3 allowance shall be based upon work assignments and departmental needs as recommended by the Department Director. If mileage continually exceeds 600 miles per month for City business, reassignment to Category 2 should be considered and recommended if economically justified.
- (B) The transportation allowance established for this category is \$90 per month, plus \$.33 per mile.
- Category 4. (A) Employees who must occasionally travel to conduct official City business, but who do not have access to division assigned vehicles, will use Department of Administrative Services pool vehicles when available. When pool vehicles are not available, employees may be directed to use their private vehicles and will be reimbursed at the Category 4 rate of \$.40 per mile.
- (B) If mileage consistently exceeds 600 miles per month for City business, reassignment to Category 2 or assignment of a City-owned vehicle should be considered.
- (C) Category 4 claimants require Department Director approval after meeting the requirements in Paragraph 4 (A), above, as well as the requirements regarding inspection, insurance, driver's license, etc. (see Procedure).

4. Out-of-City Travel:

Category 1 and 2 claimants who take an official City business trip in their personal vehicle to a destination beyond a 50-mile radius of City Hall shall be reimbursed at the \$.33 cents per mile, plus parking fees, or the cost of the least expensive air fare plus a maximum of \$20 per trip for airport bus, limousine, or taxi fees, whichever is less. This reimbursement is in addition to the regular monthly allowance.

5. General:

- a. The City is not responsible for any cost of operation, parking, repair or damage to the employee's vehicle, except payment of the stated allowance and rates. It is the employee's responsibility to provide all service, maintenance, insurance, and fuel for his/her private vehicle when used for official City business.
- b. Should an employee's vehicle be out of service in excess of 30 days due to breakdown or accident, the claimant must have the vehicle reinspected to receive the rental allowance.
- c. Employees receiving a transportation allowance and mileage reimbursement under Categories 1, 2 and 3 shall not use City-owned/leased vehicles unless the City business trip is greater than 50 miles from City Hall.
- d. The Department of Administrative Services, Fleet Management Division, will periodically analyze the comparative efficiencies of utilizing a City-owned vehicle or private mileage reimbursement for transportation in conducting City business. When such analysis determines that it is cost effective and in the best interest of the City to provide a City-owned vehicle, such recommendation will be made to the Department Director involved and to the City Manager to procure a vehicle using the cost savings from unused budgeted private mileage funds.
- e. On July 1 of each year, the allowance rates for Categories 2, 3, and 4 shall be increased by an amount equal to the change in the Consumer Price Index, Los Angeles-Anaheim-Long Beach, Urban Wage and Clerical, from March of the previous calendar year to the March immediately preceding the July 1 date; however, such adjustment shall not exceed 10 percent. Fixed monthly allowances shall be rounded to the nearest \$5, and the mileage rates shall be rounded to the nearest whole cent.
- f. Employees who are absent from work in excess of 30 calendar days shall no longer be entitled to the transportation allowance and mileage reimbursement as provided for in this policy.

## Procedure

1. Individuals who receive a transportation allowance will complete Form VH-1, have their vehicles inspected by the Fleet Management Division and show evidence of a valid California driver's license. The Form VH-1 and the Vehicle Inspection Form will be submitted to the Department of Administrative Services, Risk Management Division, along with a copy of current insurance coverage. Insurance coverage for Categories 1, 2, and 3 must prove public liability insurance in the amount of \$100,000 per individual and \$300,000 per accident, and property damage insurance of \$50,000. Insurance coverage for Category 4 claimants must be the minimum State requirement, which is currently \$15,000 per individual, \$30,000 per accident, and

\$15,000 property damage. In all categories, insurance must cover the individual while operating the vehicle on City business.

2. The Department of Administrative Services, Risk Management Division, shall review all requests for Category 1, 2, 3 and 4. This review shall include a driver's record check with the California Department of Motor Vehicles (DMV) and shall include a review of the employee's insurance and the vehicle safety check as well.
3. The Department of Administrative Services, Risk Management Division, will review all requests for Categories 2 and 3 to determine whether the nature of the work assignment and anticipated vehicle usage justify the rental of the employee's private vehicle.
4. After review and approval, the Department of Administrative Services, Risk Management Division, will forward the forms to the City Manager for final approval. In all instances, each Department Director shall ultimately be responsible for permitting only insured employees and employees with acceptable driving and safety records to operate any vehicle on City business.
5. Monthly payment of fixed allowances for Categories 1, 2, and 3 shall be from an authorized list maintained by the Department of Administrative Services, Accounting.
6. Claims for variable mileage under Categories 3 and 4 shall be submitted using the Monthly City Business Vehicle usage Record, Form VH-2.
7. Request for payment of vehicle reimbursement must be submitted no later than two months following the actual usage. It is preferable that requests be submitted the month following the actual usage period; however, Category 4 claims of less than \$10 per month may be accumulated until a total of \$50 is accumulated, or for a maximum of four months.
8. Each department shall notify the Department of Administrative Services, Risk Management Division and Accounting, of any change in the claimant's job status affecting mileage allowance or vehicle rental.

**CITY OF FRESNO  
VEHICLE ALLOWANCE AND CITY VEHICLES TAKEN HOME**

**SECTION I** (All participants complete)

- ☐ New Authorization  
☐ Additional Vehicle  
☐ Replacement  
☐ Update

\_\_\_\_\_  
Employee (Last Name, First, MI)

\_\_\_\_\_  
Driver's Lic. No.

\_\_\_\_\_  
Exp. Date (month/day/year)

\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Department/Division Name

\_\_\_\_\_  
Dept./Div. No.

\_\_\_\_\_  
Title

\_\_\_\_\_  
Telephone No.

☐ **CATEGORY 2** - Assistant City Manager,  
and Dept. Directors, designated positions.

☐ **CATEGORY 4** - All other users of  
personal vehicles for City business.

☐ **CATEGORY 3** - Employees who drive  
frequently.

☐ **CATEGORY 9 CITY VEHICLES** - City  
vehicles taken home with or without special  
equipment. **Complete SECTION 1 ONLY.**

**WORK ASSIGNMENT - JUSTIFICATION FOR CATEGORIES 2, 3 AND CITY VEHICLES**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Expected Monthly Mileage \_\_\_\_\_

\_\_\_\_\_  
If Yes, Restriction,

License Restrictions    ☐ No    ☐ Yes    Specify Type \_\_\_\_\_

\_\_\_\_\_  
Dept. Director Signature \_\_\_\_\_ Date \_\_\_\_\_

—

**SECTION II (VEHICLE ALLOWANCE ONLY) ATTACH A SEPARATE FORM FOR EACH VEHICLE USED**

**DESCRIPTION OF AUTOMOBILE**

VEHICLE \_\_\_\_\_

—

\_\_\_\_\_  
Year

\_\_\_\_\_  
Make/Model

\_\_\_\_\_  
License Number

**FLEET CHECK** \_\_\_\_\_  
Vehicle Meets Requirements \_\_\_\_\_ Date \_\_\_\_\_

**INSURANCE (ATTACH CURRENT DECLARATION PAGE)**

CARRIER \_\_\_\_\_ POLICY NO. \_\_\_\_\_ EXP. DATE \_\_\_\_\_

—

AGENT'S NAME \_\_\_\_\_ TELEPHONE NO. \_\_\_\_\_

ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

**Categories 2 and 3 must provide a minimum of public liability insurance of \$100,000 per individual and \$300,000 per accident and property damage of \$50,000. Category 4 must provide \$15,000 public liability, \$30,000 per accident and \$15,000 property damage.**

As a result of my driving for City business, I understand that the City of Fresno will periodically review my driving and safety record.

**The above information is true and correct** \_\_\_\_\_ **DATE** \_\_\_\_\_  
Employee Signature

**APPROVALS:**

VH1  
A.O. 2-2

RISK MANAGER \_\_\_\_\_

DATE \_\_\_\_\_

CITY MANAGER \_\_\_\_\_

DATE \_\_\_\_\_



## MONTHLY CITY BUSINESS VEHICLE USAGE RECORD

Div #

[illegible]

Total Miles \_\_\_\_\_

Category 3 \_\_\_\_\_ miles x .33/mile .....\$ \_\_\_\_\_

Category 4 \_\_\_\_\_ miles x .40/mile .....\$ \_\_\_\_\_

Supervisor' s Signature \_\_\_\_\_ Date \_\_\_\_\_

<b>Subject:</b> <b>Safety Policy</b>	<b>Number:</b> 2-3
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> <b>DAS—Human Resources</b>	<b>Approved:</b>

## Policy

The number and severity of on-the-job injuries can be reduced through the use of safety equipment, proper job instruction, frequent review of safety practices, and adequate supervision. The City shall maintain a continuing, effective Injury and Illness Prevention Program to adhere to all applicable laws and regulations necessary to protect its employees. Practices and procedures necessary to maintain a safe place of employment through the elimination of hazardous conditions and unsafe working conditions shall be implemented at all levels of the organization.

## Responsibilities and Procedures

1. The Chief Administrative Officer shall designate a City Safety Officer who will have the authority and responsibility for implementing the City's Injury and Illness Prevention Program.
2. The Safety Officer shall establish and chair a City-wide Safety Action Committee, which will consist of seven appointed members. Committee activities shall include, but not be limited to, the evaluation of employee recognition programs, methods of communicating safety information, work site inspections, and documentation and effectiveness of safety training.
3. Department/divisional safety programs shall include employee training programs, methods of reporting and correcting unsafe acts and conditions, the ongoing maintenance of internal safety programs, and measures for documenting progress toward achieving established safety goals and objectives. Each department/division shall be responsible and accountable for its accident record.
4. Department/divisions shall review and implement all state and federally mandated safety and health related regulations that pertain to their area of operation.
5. Departments/divisions shall maintain and implement all published instructions as contained in the City's Safety Manual, and be responsible for the periodic distribution of information from the Risk/Safety Management office.

<b>Subject:</b> Vehicle Accident Procedures	<b>Number:</b> 2-4
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> DAS—Risk Management	<b>Approved:</b>

## Policy

The purpose of this policy is to provide guidelines regarding the distribution of information and the preservation of evidence in the event that a City vehicle is involved in an incident or accident that may result in a potential claim against the City.

## Procedures

### 1. Employee Involved in an Automobile Accident

- a. The employee **shall not** leave the scene unless he/she is released by the responding law enforcement agency, a supervisor, or is in need of immediate medical treatment. If the adverse party leaves the scene, the City employee shall document the license number for law enforcement.
- b. The employee **shall** attempt to obtain the identity of the adverse party and any witnesses involved in the incident. Information obtained shall include the name, address, and insurance information pertaining to the adverse party.
- c. The employee **shall not** express any opinion as to fault, responsibility or liability, nor any of the facts of the incident without prior consultation with either the Risk Management Division or the City Attorney's office, except when questioned by the employee's supervisor or by the investigating law enforcement officer.
- d. The employee **shall** report the incident to the Risk Management Division at 498-1658, immediately after a vehicle accident. The employee shall complete the Automobile Accident or Loss Notice form along with any additional pertinent information, which shall be sent to the Risk Management Division. **All incidents shall be reported even if no injuries are reported or damage observed.**
- e. The employee **shall not** participate in any direct contact with any individuals or witnesses involved subsequent to the incident for any reason. Any inquiries shall be referred to the Risk Management division. (Exception: Bargaining units may have provisions in their Memoranda of Understanding that permit employee contact for purposes of accident investigation.)

**2. Department Employee Assigned to Investigate Incidents**

- a. The primary duty of the division employee investigating the incident is to preserve all evidence, including the production of photographs of the scene.
- b. No employee shall express any opinion regarding fault or liability. All inquiries regarding claims procedures shall be directed to Risk Management.

<b>Subject:</b> Property Loss Procedures	<b>Number:</b> 2-5
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> DAS—Risk Management	<b>Approved:</b>

## Policy

It is the City's policy to reimburse City departments for property that has been damaged or destroyed by a covered peril.

1. The City of Fresno has a self-insurance fund which, at the option of the Risk Management Division, may replace, rebuild, or restore certain City property that was lost, damaged, or destroyed by the following perils subject to actual cash value:

Aircraft	Hail
Burglary	Lightning
Collapse	Riot
Collision	Robbery
Earthquake	Smoke
Explosion	Theft
Fire	Vandalism
Flood	Vehicles
Flying Objects	Wind

2. No reimbursement or payment for City property damage will be made from the self-insurance fund unless the Risk Management Division is notified in writing within six (6) months of the occurrence.
3. All losses are subject to a \$250 deductible per occurrence.
4. City Property Losses Excluded From Self-Insurance.
  - a. Property or perils not listed in 1 above;
  - b. Loss or damage caused by or resulting from wear, tear or deterioration, breakdown of machinery, contamination, rust, rot, insects, mold, dampness, smog or extremes of temperature; or normal settling, shrinkage or expansion in a building or foundation.
  - c. Loss of use or delay caused by an accident or incident.
  - d. Property of contractors, subcontractors and employee's personal property, unless covered by written agreements or law.
  - e. Loss from mysterious disappearance.

## **Procedures**

1. Departments shall submit a Property Loss Notice immediately upon knowledge to the Risk Management Division for purposes of reimbursement.
2. All property claimed in the loss, if available, shall be made available for inspection by Risk Management.
3. Departments shall institute all reasonable measures to protect the property from further loss upon submission of the Property Loss Notice.

<b>Subject:</b> Employment Procedures and Records Maintenance	<b>Number:</b> 2-6
	<b>Date Issued/Revised:</b> April 1, 2003
<b>Responsible Department:</b> Personnel Services	<b>Approved:</b>

## Purpose

To establish procedures to be used when hiring new employees.

To establish procedures for maintaining records within Personnel Services and the employing department/division.

## Procedures

1. The type of position being filled and its assigned department will determine the length of time required, following certification of names from an eligible list, to actually fill the position. Considering that successful candidates may be required to give two weeks notice to current employers, combined with the reference check and the criminal conviction check, it may be five or more weeks from the date names are certified before the vacancy can be filled.
2. When practical, for positions with frequent hiring activity or a high rate of turnover, Personnel Services may provide names in addition to those eligible for certification to the appointing authority to permit an earlier start on the background process to reduce the time required to fill vacancies.
3. The appointing authority shall fill the vacancy or vacancies, as quickly as possible, from the eligibles certified, or notify Personnel Services that the appointment will not be made, whereupon the eligibles shall be restored to their relative positions on the list from which they were certified.
4. Eligibles certified for employment consideration may be required to complete a background check and driving record check at the City's discretion. The background check for permanent appointments will include a criminal conviction check through the California Department of Justice and may also include a reference check.

Temporary or provisional appointments may also be required to undergo a reference check at the City's discretion. All temporary and provisional appointments will also require the criminal conviction check.

Due to the time required to process criminal conviction checks from the Department of Justice, the City Manager may approve appointments to non-public safety positions. Positions that do not require the supervision of minors, and positions that do not handle cash transactions may begin prior to the return of the criminal conviction check. However, if the results from the background checks are not satisfactory, the appointee will be immediately dismissed.

5. The Personnel Services Department shall designate those classes that require candidates to successfully complete the medical evaluation process prior to appointment.

An appointing authority shall extend an offer of employment to the selected candidate(s) prior to the medical evaluation process and shall notify the Personnel Services Department of the candidate's selection and request that a medical examination be scheduled. The Personnel Services Department shall schedule the selected candidate(s) for medical evaluation and shall communicate the physician's findings and recommendations to the appointing authority.

If the physician determines that the candidate cannot perform the full range of duties, the appointing authority shall consider the availability of accommodation that would permit the candidate to perform the essential duties of the position. Consideration shall be on a case-by-case basis and shall include making existing facilities readily accessible, job restructuring, modifying work schedules, and acquiring or modifying equipment or devices. This list is not intended to be exhaustive; rather it is intended to provide general guidance regarding the appointing authority's obligation to explore reasonable accommodation.

The appointing authority may reject a candidate when the accommodation required would create an "undue hardship." The term "undue hardship" is defined as an action that would impose undue financial or administrative burdens or would require a fundamental alteration in the nature of City operations. The appointing authority shall communicate in writing to the Personnel Services Department, the specific reasons or circumstances that constitute an "undue hardship" precluding the hiring of the candidate.

6. An Employee Action Form shall be prepared and forwarded to Personnel Services, as soon as approval of the appointment is received, to place the person selected on the payroll. That includes an approved Personnel Requisition for permanent appointments or an approved Attachment "B" for temporary appointments. The appointing authority will then notify **all** persons interviewed that the position has been filled.
7. New hires must complete and submit required paperwork to Personnel Services either prior to, or immediately upon, beginning employment with the City. The Immigration Reform and Control Act **requires** that newly hired employees provide to Personnel Services acceptable proof of their right to work in the United States. The effective date of the appointment shall not precede the date that all required paperwork and documents are provided by the new hire.
8. The following documents shall be filed and retained in the employee file located in Personnel Services:
  - a. Original applications/resumes.
  - b. Original Employee Action Forms.
  - c. COBRA designations and related documentation.
  - d. Approved, original Work Permit applications.
  - e. Unemployment Insurance claims/related documentation.
  - f. Finalized disciplinary actions, starting with written reprimands.



9. Some portions of police officer personnel files shall be destroyed by the Personnel Services Department five and one-half (5-1/2) years after the date of the incident. Those documents include:
  - a. Complaints.
  - b. Disciplinary actions.
  - c. Training certificates.
  - d. Performance evaluations.
10. Immigration Reform and Control Act documentation and medical records shall be retained in separate files, also located in Personnel Services.
11. Active Workers' Compensation claims shall be maintained in a separate file until the claim is closed. Upon closure, materials shall be merged with the employee's medical file.
12. The following documents shall be retained in the employee's file within the employing department/division:
  - a. Performance evaluations (except as indicated in #9 above).
  - b. Driving record check (if required).
  - c. Commendations.
  - d. Training certificates (except as indicated in #9 above).
  - e. Copy of approved Work Permit applications.
  - f. Approved leave request slips.
13. Upon transfer, promotion or reassignment of an employee to another department, materials retained at the department shall be forwarded to the receiving department upon, or immediately following, the transaction.
14. Upon termination of employment, materials retained at the department shall be forwarded to Personnel Services.

Subject: <b>Verification of Employment or Release of Information to Prospective Employers</b>	<b>Number: 2-7</b>
	<b>Date Issued/Revised: September 1, 2000</b>
<b>Responsible Department:            DAS—Human Resources</b>	<b>Approved:</b>

## Purpose

To establish a uniform policy concerning requests for employment verification, and for release of information on current or former employees to prospective employers.

## Procedures

All official records on employees, past or present, are maintained by Human Resources Operations Division. Requests for information or verification of information (i.e., job title, department, length of employment, salary, etc.) from outside sources shall be referred to Human Resources Operations.

Prospective employers occasionally request a supervisor with the City to evaluate a current or former City employee's job performance and/or personal qualifications. Supervisory personnel of the current or former employee may supply such information as may be requested only when the employee (current or former) has provided the City, through a prospective employer, with an authorization to release information concerning his or her job performance and/or qualifications.

In the case of former employees, the reason for the employee's termination or resignation may also be requested. When an employee leaves or has been removed or terminated from City service, only that information that is a matter of public record may be provided to a prospective employer. Such information is to be provided by the Human Resources Operations Division.

If the condition above has been met, the individual listed as a reference may respond to the inquiry; or the City, through the employee's supervisor, may release information consistent with the authorization provided. If the condition has not been met, no such information shall be released to prospective employers. If information is requested regarding an employee's leaving City service, refer the inquiry to Human Resources Operations.

<b>Subject:</b> <b>Classification Plan Maintenance Procedure</b>	<b>Number:</b> 2-8
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> <b>DAS—Human Resources</b>	<b>Approved:</b>

## Purpose

To establish the procedures for classification of positions in the classified service.

## Policy

The position classification plan is an essential element of the personnel system, which must be maintained to provide an accurate base for decisions on staffing, compensation, selection, promotion, transfer and related employment issues.

## Procedures

### 1. Periodic Reviews

The Director of Administrative Services periodically, or when circumstances indicate, shall review an existing position or group of positions in a department or departments to determine that the position is allocated to the appropriate class and that the class specification is accurate. As a result of such review, new classes may be added and existing classes may be divided, combined, altered or abolished.

Routine modifications of class specifications may include a title change; addition or deletion of tasks that do not reflect a change in the level of responsibility, such as a change in emphasis in existing tasks; and improvements in equipment or technology to perform existing tasks. Such routine revisions to the specification shall not constitute a reclassification of positions allocated to the class and the status of incumbents of positions in the class shall not change.

Class specifications shall be reviewed informally with department representatives and modified prior to the announcement of an examination. If significant changes in the level of responsibilities or the duties are identified in the informal review, a study of the affected positions may be required.

### 2. Department Director Requests

A department director shall have the authority to request a classification review when a significant, permanent modification has been made in the duties assigned to a position. The request shall describe the change in duties and indicate whether the change resulted from the addition of a new service or function, or if the duties were reassigned from another position. The department director shall submit the request to the Chief Administrative Officer. With the

approval of the Chief Administrative Officer, a classification review will be conducted in accordance with the procedure set forth in 5 below. The department director may withdraw the request at any time.

### **3. Individual Requests**

Any incumbent may request, in writing, a classification review of an existing position. The request shall be submitted to the Department of Administrative Services and shall include sufficient information on changes in duties or function of the position to establish the need for a review.

### **4. New Positions**

The Director of Administrative Services shall review and recommend to the Chief Administrative Officer the classification of any new position created as part of an organization change, an addition of a function or service, or as part of the budget review.

### **5. Classification Review Procedures**

Following Chief Administrative Officer approval of the request for study, classification reviews of existing positions shall be conducted as follows:

- a. Incumbents of the position to be studied shall complete a position description questionnaire on a form provided by Human Resources. The supervisor shall complete a Supervisor's Statement form. Completed and signed forms shall be forwarded to Human Resources.
- b. Within 10 days after receipt of the completed forms, the employee and the responsible department director shall be notified of the Human Resources staff member assigned to conduct the review, of any additional written information or documents needed to complete the questionnaire and of the arrangements for an on-site audit.
- c. Position description questionnaires may be required to be completed by incumbents of other positions in the same class and by other employees in the same work unit in any class of positions.
- d. An on-site audit will be conducted to interview incumbents of positions included in the review. In those cases where two or more incumbents perform substantially the same duties as described in the questionnaires and supervisors' statements, on-site audits will be conducted for a representative sample of the positions.
- e. A preliminary report will be prepared based upon the information acquired from the written materials and the audit. The report shall summarize the findings including comment on pertinent areas, such as the difficulty and complexity of the work, supervision given or received, type and level of decisions and judgment required, and whether the work is varied or repetitive. Comments may address other issues identified in the study including assignment or organization of the work and staffing levels. The preliminary report shall be provided to the department director for discussion and comment.

- f. Within 120 days of receipt of the completed forms (except as noted in Sections 2 and 7), a final report of findings and recommendation, including the department director's comments, shall be submitted to the Chief Administrative Officer. The Chief Administrative Officer may approve the report and recommendations in total or in part, reject the proposal or require additional information, study and review by the Director of Administrative Services, or by the affected department director.
- g. With Chief Administrative Officer approval, the findings and recommendations will be forwarded to the incumbent employees and the employee organization representing the affected classes. Human Resources staff will consult at the request of the employee or the employee representative. Should new or conflicting information be submitted during a consultation, this information shall be evaluated before final action is taken.
- h. A hearing on any proposed reclassification shall be noticed and conducted in accordance with Section 2-1604(b) of the Fresno Municipal Code.

## **6. Implementation**

Position classification changes shall be implemented as soon as possible upon completion of the review procedures.

- a. New classes shall be established by amendment to the Salary Resolution adopted by the City Council.
- b. Classification of newly authorized positions and reclassification of existing positions shall be accomplished by administrative amendment to the Position Authorization Resolution (PAR) approved by the Chief Administrative Officer and filed with the City Clerk, subject to Council approval of amendments to the Salary Resolution or AAR, as required.
- c. A position reclassified upward shall be filled in accordance with the applicable provisions of the Fresno Municipal Code and Salary Resolution, Section II, Salary Step Plan, Subsection G.
- d. When a position is reclassified downward, the employee's step placement shall be either: (1) on such step of the new range as to receive the same salary that was received under the old range; or (2) on the step of the new range next higher than the employee's present salary, if the present salary is between steps of the new range; or (3) the employee shall be Y-rated if the present salary is higher than the fifth step of the new range and shall remain unchanged until such time as general salary range adjustments increase the salary for the new classification to a range that encompasses the Y-rated salary. The employee's anniversary date will remain unchanged.

## **7. Limitations**

- a. The classification of any position will be reviewed no more than once in any 24-month period, except where a position is directly affected by a reorganization approved by the City Council and/or the Chief Administrative Officer, or by a change in service approved by the City Council.

- b. An individual request for a position classification review may be denied without prejudice and the employee so notified in those cases where a City-wide or organizational review of a work unit is required. The study of the individual position shall be included in the more comprehensive study with the determination of the classification to be part of the findings and recommendations in the overall report.

<b>Subject:</b> Retirement Calculations for Deleted Class Titles	<b>Number:</b> 2-9
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> DAS—Human Resources	<b>Approved:</b>

## Policy

DAS—Human Resources Operations shall notify recognized employee organizations and/or affected employees of proposed retirement benchmark prior to recommending that a class be deleted from the Salary Resolution.

## Procedures

Fresno Municipal Code Section 2-1603.1, "Deletion of Classes," requires that benchmarks be established, by Council Resolution, for retirement calculation purposes whenever a class title is deleted from the Salary Resolution. The Code section also requires that notification be provided to employees and recognized organizations in advance of presentation of a resolution to the City Council. This is the Code-required notification process.

Whenever an amendment to the City Salary Resolution includes a recommendation to delete one or more class titles, a resolution shall be prepared for Council adoption for the purpose of establishing a benchmark(s) and a pay comparison for the deleted class(es). Prior to presentation to the City Council, staff shall notify the recognized representative of the bargaining unit that represents employees in the class(es) recommended for deletion or, if the class is in a non-represented unit, employees in the class, of the date the resolution will be on the Council Agenda, the benchmark class and, if applicable, the percentage that should be added to, or subtracted from, the salary range for the benchmark class.

Sufficient time shall be provided between notification of the recognized representative or employee(s) and submission of the item on the Council Agenda to allow for consultation between the representative or employee(s) and Human Resources prior to action by the Council.

Following approval by the City Council of the Resolution establishing benchmark(s), a copy of the Resolution shall be provided to the Retirement Office for its official records.

<b>Subject:</b> Flexible Staffing	<b>Number:</b> 2-10
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> DAS—Human Resources	<b>Approved:</b>

## Purpose

To establish uniform guidelines for flexibly staffed classes.

## Policy

Flexible-staffing is used to designate classes in a promotional series in which both the entry and journey level classes are assigned the same kinds of duties, the difference being the range of duties performed, the level of skill required, and the amount of supervision received.

Flexible-staffing allows departments to hire at the lower level class in the series, provide on-the-job training, and to promote to the next higher level in the series through a non-competitive examination process, once the full range of duties is being performed.

## Procedures

In order for classes to be designated as flexibly staffed, the following criteria must be met:

1. The lower level class must be entry-level, requiring limited job skills, while the higher level class must be the full journey/working level in the series.
2. The two levels should be assigned the same type of duties and responsibilities permitting the various tasks to be assigned incrementally with employees in the lower level class initially assigned a limited range of duties to be performed under close supervision. As experience is gained, assignments cover a wider range and a higher level of duties.
3. By the time the experience requirement for promotion is met, the full range of duties should have been assigned, requiring a minimum of supervision. At this time, if the employee is able to satisfactorily perform the full range of duties, he/she should be given a non-competitive examination for promotion to the higher class. If the employee is not able to perform the full range of duties, he/she should be terminated.

An employee serving in a flexibly staffed position may be promoted, upon the recommendation of the appointing authority, from the entry-level class to the experienced working-level class in the same class series. Promotion is accomplished through a non-competitive examination when the employing department certifies that the incumbent meets the minimum requirements, has completed the probationary period, is performing satisfactorily at the higher level, and no budgetary limitations exist on the number of positions that can be filled at the highest level in the flex-staffed series.



subject to any budgetary restraints, departments are to request that the employee be given a non-competitive examination when the above requirements are met. If an employee is not recommended for promotion when he/she is eligible, he/she should be advised by the employing department of the reasons why the promotion is not being recommended and of the improvements needed before promotion is recommended.

The experience requirements for promotion to the higher level class may be met in part by experience gained outside the City service, but in no event shall outside experience be counted toward more than one-half of the experience requirement. When outside experience is used to meet the minimum qualifications, documentation of the outside experience must be submitted to Human Resources for approval.

<b>Subject:</b> Probationary Period for Flexibly Staffed Positions—Non-supervisory White Collar Unit	<b>Number:</b> 2-11
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> DAS—Human Resources	<b>Approved:</b>

## Purpose

To establish uniform guidelines for the probationary period for employees in flexibly staffed classes in the non-supervisory white collar unit. This section applies to employees in this unit hired on and after October 1, 1989.

## Procedures

The function of flexible staffing is to allow an employee in an entry-level class to promote to the journey level as the employee gains experience and skill in the position. Since the interest of the City is in having trained employees at the journey level, performing the duties and being compensated at the higher level, neither the City nor the employee is well served by retaining less qualified employees at entry-level positions. If an employee cannot demonstrate the ability to serve at the higher level, retention is not acceptable.

Employees in classes in flexibly staffed series (entry and journey levels) in this unit serve a total probationary period of one year.

For those classes that have minimum qualifications, which allow “flexing” after six months of service, the second six months of probation is served at the journey level. Employees in classes that require one year of service for flexing will **not** serve an additional probationary period at the journey level. For purposes of this section, “flexing” shall mean promotion to the journey level in a class series through non-competitive examination. (See Administrative Order 2-10 for further information.)

Departments are required to administer performance evaluations during the one-year probationary period. The department must take action to either terminate an employee during the probationary period or complete the required process for flexing **prior** to the employee’s eligibility date, except as provided for in Administrative Order 2-10, or as described below.

Only for those classes with six-month flex periods, an extension of the flex period of up to 90 days may be approved by the Director of Administrative Services, with evidence filed in Human Resources that an employee was given less-than-satisfactory evaluations and counseled on deficiencies. The department shall provide to the employee, in writing, the reasons why no recommendation for the non-competitive qualifying examination is being made prior to the end of the six-month flex period. The employee shall not be flexed until the performance deficiencies are corrected. If the deficiencies remain at the conclusion of the extension, the employee shall be terminated. This extension does not lengthen the overall probationary period.

Consistent with applicable Municipal Code sections and Administrative Orders, flexing of an employee requires certification from the appointing authority that the employee:

- a. Has demonstrated the ability to perform the full range of duties at the journey level assigned to the class;
- b. Meets the established minimum qualifications; and
- c. Has passed a non-competitive qualifying examination.

Salary increases for the journey/working level in the class shall always commence either at the end of the six-month flex period or the end of the probationary period, depending on the series designation. Anniversary dates shall remain constant, except when an employee is recommended for testing and his/her department's recommendation comes prior to either the six-month flex period or prior to the end of the employee's probationary period. (Other exceptions may include anniversary date change due to non-pay status for level usage and/or leave without pay status during probationary periods, or when a flex period is extended due to performance deficiencies.) In all cases, employees must pass the non-competitive qualifying examination prior to promotion to the higher working level.

<b>Subject:</b> Probationary Period for Flexibly Staffed Positions—Non-supervisory Blue Collar Unit	<b>Number:</b> 2-12
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> DAS—Human Resources	<b>Approved:</b>

## Purpose

To establish uniform guidelines for the probationary period for classes in a flexibly staffed series. This section applies to employees in this unit hired on and after October 1, 1989.

## Procedures

The function of flexible staffing is to allow an employee in an entry-level class to promote to the journey level as the employee gains experience and skill in the position. Since the interest of the City is in having trained employees at the journey level, performing the duties and being compensated at the higher level, neither the City nor the employee is well served by retaining less qualified employees at entry-level positions. If an employee cannot demonstrate the ability to serve at the higher level, retention is not acceptable.

Employees in classes in flexibly staffed series (entry and journey levels) must serve a total probationary period of one year.

For those classes that have minimum qualifications, which allow “flexing” after six months of service, the second six months of probation is served at the journey level. Exceptions to this rule are as follows:

- a. Body and Fender Repairer Trainee
- b. Bus Air Conditioning Mechanic Trainee
- c. Bus Mechanic I
- d. Fire Equipment Mechanic I
- e. Wastewater Treatment Plant Mechanic I
- f. Wastewater Treatment Plant Operator I

The classes listed above will continue to serve a six-month probationary period **at each level in the series**, and shall be flexibly staffed in accordance with Administrative Order 2-10.

For purposes of this section, “flexing” shall mean promotion to the journey level in a class series through non-competitive examination. (See Administrative Order 2-10 for further information.)

Departments are required to administer performance evaluations during the one-year probationary period. The department must take action to either terminate an employee during the probationary period or complete the required process for flexing **prior** to the employee’s eligibility date.

For only those classes with 6-month flex periods, an extension of the flex period of up to 90 days may be approved by the Director of Administrative Services, with evidence filed in Human Resources that an employee was given a less-than-satisfactory evaluation and counseled on deficiencies. the department shall provide to the employee, in writing, the reasons why no recommendation for the non-competitive qualifying examination is being made prior to the end of the six-month flex period. The employee shall not be flexed until the performance deficiencies are corrected. If the deficiencies remain at the conclusion of the extension, the employee shall be terminated. This extension does not lengthen the overall probationary period.

Consistent with applicable Municipal Code sections and Administrative Orders, flexing of an employee requires certification from the appointing authority that the employee:

- a. Has demonstrated the ability to perform the full range of duties at the journey level assigned to the class;
- b. Meets the established minimum qualifications; and
- c. Has passed a non-competitive qualifying examination.

Salary increases for the journey/working level in the classification shall always commence either at the end of the six-month flex period or the end of the probationary period, depending on the series designation. Anniversary dates shall remain constant, except when an employee is recommended for testing and his/her department's recommendation comes prior to either the six-month flex period or prior to the end of the employee's probationary period. (Other exceptions may include anniversary date change due to leave usage and/or leave without pay status during probationary periods, or when a flex period is extended due to performance deficiencies.) In all cases, employees must pass the non-competitive qualifying examination prior to promotion to the higher working level.

<b>Subject:</b> Career Development of Management Analysts	<b>Number:</b> 2-13
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> DAS—Human Resources	<b>Approved:</b>

## Purpose

To establish procedures for the selection, training, development and assignment of Management Analysts.

## Policy

The City encourages the development of a generalist management staff to assure itself of an experienced staff and to provide employees with career development and job enrichment opportunities.

## Procedures

### 1. Management Analyst I

**Selection:** Appointments will be made from the eligible list by department directors. If several positions in different departments are being filled at the same time, a joint interview panel may be formed consisting of department director (or their representatives) in whose departments the vacancies exist.

**Promotion:** The Management Analyst I class is a class to which the rules of flexible staffing apply (see Administrative Order 2-10). Employees will normally be considered for promotion to Management Analyst II after completing 12 months of service and upon recommendation of the appointing authority, in accordance with the procedure outlined in Administrative Order 2-10.

### 2. Management Analyst II

**Selection:** Promotion to Management Analyst II will be through a non-competitive examination process.

**Promotion:** A Management Analyst II may be considered for promotion to a vacant Management analyst III or Personnel Analyst III position after he/she has acquired the necessary two years of experience as a Management Analyst II and has received above average performance evaluations. It may be to the advantage of Management Analysts II to have experience in more than one assignment area within the City, but it is not a requirement for promotion.

**3. Temporary Assignment**

Employees may be assigned on a temporary basis to fill vacant Management Analyst positions in other departments or may be temporarily reassigned (loaned) to another department without a vacancy to complete special projects. Temporary assignments may last from several weeks to several months.

**4. Transfer**

If an analyst is seeking permanent assignment to a different City operation, a request for transfer shall be filed with Human Resources.

<b>Subject:</b> <b>Guide to Corrective Action</b>	<b>Number:</b> 2-14
	<b>Date</b> <b>Issued/Revised:</b> November 23, 1998
<b>Responsible</b> <b>Department:</b> <b>DAS—Human Resources</b>	<b>Approved:</b>

## Policy

It is the policy of the City to administer discipline in a consistent, equitable manner throughout all departments. Work situations obviously differ, so the use of discipline must be tempered by good judgment. No fixed discipline can be prescribed for any single infraction of the rules. The more serious the infraction, or the more frequent, the more severe the discipline should be. Unusual circumstances may lessen or increase the severity.

## Procedures

1. **Fresno Municipal Code (FMC) Requirements:** The FMC does not cover letters of understanding or written reprimands. It applies only to fines, demotions, suspensions or removals of permanent employees. Always refer to the proper code sections for requirements, authority to take action, etc., but the following summarizes the FMC provisions.
  - a. **Causes for Action (Section 2-1666):** Malfeasance, misconduct, inefficiency, failure to perform duties of the position, to observe established rules and regulations, or cooperate reasonably with superiors or fellow employees; malfeasance and misconduct include a variety of specific acts or omissions.
  - b. **Authority to Take Action:**
    - (1) Fine: \$100 maximum, Section 2-1662
    - (2) Suspension: 30 calendar day maximum, Section 2-1662
    - (3) Demotion: Section 2-1665
    - (4) Removal: Section 2-1663
  - c. **Notice of Intended Action:** FMC Section 2-1661.5 requires that a permanent employee be given advance written notice of an intent by a department director to fine, suspend, demote or remove that employee. The employee has seven calendar days in which to respond to the department director, verbally or in writing. The seven-day period can be extended only by the Director of Administrative Services at the request of the employee. After receipt of the response, if any, and consideration thereof, the department director may proceed with appropriate action. There is an exception to this provision for certain serious infractions.
  - d. **Appeal Procedure:** FMC Section 2-1663 provides an appeal of a fine, demotion, suspension or removal by a permanent employee to the Civil Service Board (CSB) or, for Blue Collar and White Collar employees, an option of a hearing before a hearing officer. The



recommendation of the hearing officer goes to the CSB for final action. The decision of the CSB is final in appeals from disciplinary actions.

e. **Required Signatures:**

- (1) **Notice of Intended Action:** Three signatures are required on the Notice of Intended Action—Department Director, City Attorney, and Director of Administrative Services. The signatures should be obtained in the order listed.
  - (2) **Disciplinary Action:** Four signatures are required on the Notice of Action: Department Director, City Attorney, Director of Administrative Services, and Chief Administrative Officer. The signatures should be obtained in the order listed.
  - (3) The signature of the City Attorney indicates that legal requirements are met, code references are correct, charges are adequate, etc. The signature of the Director of Administrative Services indicates that the action is procedurally correct and consistent with other disciplinary actions of the same nature and seriousness. The Chief Administrative Officer's signature indicates his awareness of the situation, its seriousness, and his agreement that the infraction warrants the discipline for the good of the City.
- f. A copy of the Notice of Action, together with proof of service of the Notice, must be filed with the Civil Service Board within ten (10) days of service upon the employee (FMC 2-1663). Forward the copy to Human Resources to be placed in the employee's permanent file.

2. **General Guidelines**

- a. **Dissemination of Rules:** Each department has the obligation to make employees fully aware of the rules and requirements of the job and to ensure that employees perform and behave acceptably. Employees who do not are subject to disciplinary action.

"I didn't know" should not be an accurate response by an employee to disciplinary action. Each department has the obligation to inform an employee of the rules and regulations applicable to that employee. The employee should be aware of the consequences of failure to follow the rules and regulations.

- b. **Progressive Discipline:** Serious offenses, even a first offense, can warrant a long suspension or termination. Usually, however, corrective action results from a series of offenses, and discipline should be progressive, generally leading from lesser action to more severe action.

Termination is appropriate when a particular incident is by itself intolerable, or when a series of offenses indicates that the employee cannot, or will not, abide by the rules and regulations.

The corrective actions listed below, in order of severity, are the standard forms of action, but are not necessarily all-inclusive. If, in a supervisor's judgment, an alternative method will correct the problem, use it, but put it in writing, stating that it is being used in lieu of more

formal action. This established a record of action and, if the problem continues, more strict discipline may be taken in the future.

- (1) **Retraining:** This should occur when evidence indicates the problem is a lack of knowledge or skill by an employee, correctable by attention to skill improvement.
- (2) **Letter of Understanding:** This is most appropriate when the problem is a lack of understanding of the rules, regulations, and requirements of the job, rather than an intentional disregard of them. No fault attaches to this action; it is an assurance that an employee knows what is expected.
- (3) **Oral Reprimand:** This is the first form of discipline for minor offenses and should be documented as having been given by a supervisor. Although nothing would be placed in an employee's permanent file in Human Resources, it may be documented in a departmental personnel file, and a copy should be provided to the employee.
- (4) **Written Reprimand:** This should be used when an offense is sufficiently serious, on its own or in a series of offenses, to warrant a written document reprimanding an employee for certain behavior. The document should contain a statement of the specific action of the employee, the rule violated, and a statement that further violations will result in more severe discipline.
- (5) **Suspension:** Suspension is a serious form of discipline and should be used only for serious offenses or for the most recent in a series of offenses not corrected by less severe disciplinary action. A Notice of Intended Action, in accordance with FMC Section 2-1661.5, is required before suspending a permanent employee. Permanent employees may appeal suspensions.
- (6) **Fine in Lieu of Suspension:** The same criteria apply to fines as to suspensions, including a Notice of Intended Action. Fines should be administered sparingly, generally where suspension is inappropriate or ineffective, or where an offense involves damage to property.
- (7) **Demotion of Promoted Employee:** Demotion can occur for the same reasons as for fine or suspension, but should be limited to cases where job performance in the higher class is inadequate and demotion of a promoted permanent employee to the previously held lower class is the only way of achieving adequate performance. A Notice of Intended Action is required.
- (8) **Removal:** Termination should be used when the offense or situation is so serious that retention is not acceptable, or when the action of the employee is the latest of a series of offenses showing that the employee is unwilling or unable to correct his/her behavior, even despite previous progressive discipline.

Termination may be ordered for physical or mental incompetence, which may or may not occur through fault of the employee. Competent medical evidence is required, and action should be taken only after close consultation with Human Resources. A Notice of

Intended Action is required for permanent employees. Removal for failure to meet the requirements of the job, or for physical or mental incompetence, requires special attention, and the general rules for "discipline" may not apply.

- c. **Consistency of Discipline:** Discipline must be consistent in its application. Employees should be treated equally in those cases under the same circumstances. If two employees are both late for work without acceptable reasons and it has occurred the same number of times for both, both should receive equal corrective action. Consistency also applies to individual employees. A supervisor cannot overlook an infraction three times and take action effectively the fourth time. Little things cannot be overlooked. The "last straw" syndrome has no place in effective discipline. An employee who gets away with several offenses cannot be fired as a form of retroactive discipline. Discipline, and correction of unacceptable behavior, proceeds from one step to the next—not in large increments. Since the acceptable level of behavior is set by the worst employee, differential treatment (under the same set of circumstances) is inappropriate and will be resented. "Good" employees cannot be expected to perform and behave better than "poor" employees if the poor employee's behavior is tolerated.
3. **Probationary Employees:** Probationary employees require special care and attention. While probationary employees should be on their best behavior and we should expect a special effort, probationary employees may be unfamiliar with the City, its operation, and the requirements of the job. Additional direction and counseling may be necessary. Supervisors must take extra care to ensure that probationary employees are aware of the rules and regulations applicable to them.

Corrective action may be taken for probationary employees. Rejection of probation is accomplished pursuant to FMC Section 2-1656. No Notice of Intended Action is required and no appeal is provided.
4. **Exempt Employees Under Fair Labor Standards Act:** Exempt employees may not be suspended for a period of less than one week, except for major safety violations. Fines are not a permissible form of discipline for exempt employees. These provisions shall be applicable to any and all disciplinary orders or actions involving exempt employees as of and since September 1, 1991. Refer to the Salary Resolution for determination of exempt status.

Good judgment is the most critical element in the administration of corrective action. The intent is to change an employee's behavior to an acceptable standard—not to punish. Even termination is not punishment. Termination recognizes that correction is not possible and eliminates the problem in the only remaining way.

Any questions should be referred to Human Resources or the City Attorney's Office, as appropriate. Any department needing assistance in determining the level of corrective action, writing the action document, or any other help, should contact Human Resources.

<b>Subject:</b> Resolution of Concerns of Management & Confidential Employees	<b>Number:</b> 2-15
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> DAS—Human Resources	<b>Approved:</b>

## Purpose

To establish a uniform procedure for handling concerns of Management and Confidential employees.

## Policy

Management and Confidential employees hold a unique position in the organization and structure of the City, which makes the grievance procedure followed by subordinate employees inappropriate. Recognizing the desirability of establishing an orderly procedure through which employees may present a concern or complaint involving his or her employment relationship with the City, the following procedure is established for Management and Confidential employees, and shall be used in lieu of any other established procedure.

## Procedures

An employee who has a concern about his or her employment with the City should discuss the concern with his or her immediate supervisor and attempt to resolve the matter.

Should the matter remain unresolved, the employee may present the matter orally or in writing to his or her department director. The department director shall meet with the employee and attempt to resolve the matter. Should the concern remain, the employee may present the matter, in writing, to the Chief Administrative Officer. The Chief Administrative Officer will meet promptly with the employee to discuss and seek resolution of the matter.

An employee who wishes to discuss a matter of extreme sensitivity or urgency directly with the Chief Administrative Officer may do so without first present the matter to his or her supervisor or department director, by meeting with the Chief Administrative Officer. In this meeting, a careful evaluation will be made of the nature of the concern or complaint. If it does not involve a matter of extreme sensitivity or urgency, the employee will be directed to raise the matter with the immediate supervisor or department director for further consideration in the normal manner.

This procedure formalizes what has been informally practiced as part of normal, healthy relations among members of the management team. While it underscores the commitment to open lines of communication within management, it carries with it a recognition of the importance of the chain of command and the related commitment of all management people to a common purpose and direction in the management of City programs.

<b>Subject:</b> <b>Discrimination and Harassment Policy and Complaint Procedure</b>	<b>Number:</b> 2-16
	<b>Date Issued/Revised:</b> January 15, 2003
<b>Responsible Department:</b> <b>Personnel Services</b>	<b>Approved:</b>

## Policy

It is the policy of the City to maintain and foster a work environment in which all employees can work free of discrimination. No form of discrimination or harassment based on race, color, ancestry, national origin, gender, religion, disability, medical condition, marital status, sexual orientation, age, disabled veteran status, or status as a veteran of the Vietnam era, or any other classification protected by law, toward any employee will be tolerated. These protections extend to perceived race, religion, color, national origin, ancestry, disability, medical condition, marital status, sex, sexual orientation and age, or an employee who is associated with a person who has or is perceived as having any of those characteristics. This policy also prohibits retaliation against an employee who brings or participates in a complaint of discrimination or harassment.

### I. DISCRIMINATION, HARASSMENT, SEXUAL HARASSMENT, RETALIATION

#### A. DISCRIMINATION

##### 1. Definition of Discrimination

Discrimination is conduct that subjects an employee to disparate treatment on account of his/her protected classification.

##### 2. Examples of Conduct That May Constitute Discrimination

Examples of verbal, physical or visual conduct that may constitute discrimination include, but are not limited to, depriving an employee of employment opportunities on the basis of a protected classification such as:

- a. refusing to hire or promote a person because of a protected classification;
- b. terminating an employee on the basis of a protected classification;
- c. subjecting an employee to different performance standards or reviews because of protected classification, other than in conjunction with a reasonable accommodation offered to a qualified individual with a disability;
- d. disciplining an employee on the basis of a protected classification; or
- e. depriving an employee of job benefits or compensation on the basis of a protected classification.

## B. HARASSMENT

### 1. Definition of Harassment

Harassment can be verbal, visual, or physical. Although what constitutes harassment will vary with the particular circumstances, it is defined as unwelcome and directed or related to an employee's classification.

### 2. Examples of Conduct That May Constitute Harassment

Examples of conduct that may constitute harassment are:

- a. verbal harassment, such as harassing phone calls, jokes, slurs, epithets, anecdotes, or other derogatory comments directed to an employee or group of employees on account of their protected classification;
- b. visual harassment, through the use of writings, graffiti, e-mail, posters, objects or symbols that insult, ridicule or demean an employee or group of employees' protected classification; and
- c. physical harassment, such as unwelcome or offensive touching, stalking, or impeding or blocking movement on the basis of a protected characteristic.

## C. SEXUAL HARASSMENT

Sexual harassment is conduct meeting the criteria in Section B and elaborated under this provision.

### 1. Definition of Sexual Harassment

Sexual harassment can be verbal, visual, or physical. Although what constitutes sexual harassment will vary with the particular circumstances, it is defined as unwelcome sexual advances, requests for sexual favors and other acts of sexual nature, where submission is made a term or condition of employment, where submission to or rejection of the conduct is used as the basis for employment decisions, or where the conduct is intended or actually does unreasonably interfere with an employee's work performance or creates an intimidating, hostile, or offensive working condition. In addition, gender-based discrimination, which may include acts of verbal, nonverbal, or physical aggression, intimidation or hostility based on a person's gender, but not involving conduct of a sexual nature, may be a form of sexual harassment.

Not all sexual harassment occurs between persons of differing power. Sexual harassment may also occur between co-workers. In addition, while the majority of reported cases of sexual harassment involve a male harassing a female, sexual harassment may also involve a female harassing a male, or a male or female harassing a person of the same gender.

## 2. Examples of Conduct That May Constitute Sexual Harassment

Examples of verbal, physical or visual conduct that may constitute sexual harassment include, but are not limited to:

- a. direct propositions of a sexual nature;
- b. sexual innuendoes and other seductive behavior, including subtle pressure for sexual activity such as repeated, unwelcome requests for dates, and repeated inappropriate comments, staring or touching;
- c. direct or implied threats that submission to sexual advances will be a condition of employment, promotion, etc.;
- d. conduct that has the effect of discomforting, humiliating or both, and that includes one or more of the following:
  - (1) comments of a sexual nature, including sexually explicit statements, questions, jokes, anecdotes or graphic material (e.g., sexually explicit visuals such as pin-ups);
  - (2) unnecessary or unwanted touching, patting, massaging, hugging or brushing against a person's body or other conduct of a physical nature;
  - (3) remarks of a sexual nature about a person's clothing or body;
  - (4) insulting sounds or gestures, whistles, etc.;
  - (5) unwelcome and inappropriate letters, telephone calls, electronic mail, or other communications.
- e. Stalking;
- f. Sexual assault.

## D. RETALIATION

The City acknowledges and understands that in order to implement a non-discrimination/non-harassment policy, it is essential that all persons who witness or experience discrimination or harassment of the type prohibited by this policy report that discrimination or harassment immediately in order to facilitate early, effective, efficient, and impartial investigation and intervention by the City. Accordingly, any retaliation against an employee for making a discrimination/ harassment complaint, reporting discrimination/harassment that he or she has witnessed, or assisting in a discrimination/harassment investigation is strictly prohibited.

## II. PROCEDURE FOR INTERNAL COMPLAINTS

In the event an employee alleges that he or she has been subjected to employment discrimination practices, harassment on the job, a hostile work environment, or retaliation for having filed a complaint, the procedures below shall serve as the process for resolving such allegations.

### A. Step One: Employee (Optional)

An employee may discuss the problem with the offending party in an effort to reach a solution. The problem may simply be a misunderstanding or lack of communication, which may not constitute discrimination or harassment.

### B. Step Two: Reporting

If the problem is not corrected by discussing it with the offending party, the employee should report it to his or her supervisor. If the offending party is the complainant's supervisor, the complainant should report the incidents to the next level of supervision. Under these circumstances, Step Three shall apply and, if the parties are unsatisfied with the results of Step Three, then Step Four shall apply. If the offending party is the complainant's Department Director, the complainant should report the incidents directly to the Director of Personnel Services and Step Four of this procedure shall apply. If the offending party is the Director of Personnel Services, the complainant should report the incident to the Chief Administrative Officer and Step Five shall apply.

### C. Step Three: Department

The Department Director or his/her designee may attempt to resolve the complaint by discussion with the complainant and the offending party. When this is successful in resolving the complaint, the Department Director shall provide the Director of Personnel Services with a written memorandum of understanding containing the party's signature and proposed remedial or corrective action, if applicable.

If resolution is not achieved, the Department Director or his/her designee shall investigate the complaint. The Department Director shall provide the Director of Personnel Services with a report that documents the nature of the complaint, the department's findings, and the proposed remedial or corrective action, if applicable.

If the Director of Personnel Services does not agree with the level of the proposed remedial or correction action, he/she shall notify the Department Director. If the Director of Personnel Services and the Department Director are unable to agree upon the level of discipline, the matter shall be referred to the Chief Administrative Officer.

Upon the completion of the department's investigation and determination of the level of remedial or corrective action, if applicable, the Department Director or his/her designee shall advise the complainant and accused of the investigative findings.



D. Step Four: Personnel Services

If the complainant or accused is unsatisfied with the outcome of the department's investigation or the offending party is the complainant's Department Director, a complaint may be made to the Director of Personnel Services. The Director of Personnel Services or his/her designee shall conduct an investigation independent of the department's investigation. Upon the completion of the investigation, the Director of Personnel Services shall provide a written report to the Chief Administrative Officer. Unless otherwise determined and requested by the Chief Administrative Officer, the report shall include the facts, findings, and recommended remedies or corrective action, if applicable. The Chief Administrative Officer shall notify the Department Director of the investigative findings and whether remedial or corrective action is required.

Upon the completion of the investigation and determination of the level of remedial or corrective action, if applicable, the Director of Personnel Services shall advise the complainant of the investigative findings and whether remedial or corrective action was required. If the investigation reveals no wrongdoing on the part of the accused, the Director of Personnel Services shall advise the accused of the investigative findings. If the investigation reveals wrongdoing on the part of the accused, the Department Director or his/her designee shall advise the accused of the investigative findings and impose remedial or corrective action as determined by the Department Director and approved by the Chief Administrative Officer.

E. Step Five: Chief Administrative Officer

If the Director of Personnel Services or a principal staff member is involved in the complaint, the Chief Administrative Officer may assign an independent investigative officer to conduct the investigation.

Upon the completion of the investigation, the investigative officer shall provide a written report to the Chief Administrative Officer. Unless otherwise determined and requested by the Chief Administrative Officer, the report shall include the facts, findings, and recommended remedies or corrective action, if applicable. The Chief Administrative Officer shall determine whether and what remedial or corrective action is required.

III. RIGHTS AND RESPONSIBILITIES

A. Director of Personnel Services

The Director of Personnel Services shall:

1. ensure that this policy and complaint procedure is disseminated to all employees; and
2. coordinate training and provide assistance to department directors, managers, supervisors, and employees in preventing and addressing discrimination and harassment.

B. Department Directors

Department Directors shall:

1. ensure that their respective departments remain free of discrimination, harassment and retaliation;
2. coordinate and cooperate with the Director of Personnel Services in disseminating this policy to all its respective employees;
3. coordinate and cooperate with the Director of Personnel Services in the investigation of complaints involving their respective employees and, when discrimination/harassment has occurred:
  - a. take prompt and appropriate remedial action against the accused;
  - b. take reasonable steps to protect the complainant from further discrimination/harassment;
  - c. take reasonable steps to protect the complainant from retaliation as a result of communicating or participating in the complaint;
  - d. take action to remedy the effects of discrimination/ harassment.

C. Employees

1. Employees shall not violate any provision of this policy.
2. When employees are provided with a copy of this policy, they shall certify in writing that they have received a copy of this policy.
3. Employees shall participate in sexual harassment and cultural diversity training provided by the City.
4. Employees shall cooperate fully with investigations of discrimination, harassment and retaliation.

IV. INDEPENDENT CONTRACTORS

Discrimination, harassment and retaliation, as provided in this policy, not only includes unlawful conduct of employees by employees, it also encompasses harassment of employees by non-employees with whom the City employees come into contact during work, such as employees of contractors, customers, vendors, suppliers and temporary employment agencies. Accordingly, employees are prohibited from engaging in unlawful conduct of non-employees with whom they come into contact, such as employees of contractors, customers, suppliers and temporary employment agencies.

When departments enter into contracts with independent contractors, the Department Director shall ensure that language is provided in the contract requiring those contractors to be responsible for ensuring that effective policies and procedures concerning the prevention of discrimination, harassment and retaliation exist in their companies.

Appropriate action will be taken if the employee of a customer, vendor, supplier, agency, contractor or other entity with whom the City does business engages in unlawful conduct.

#### V. SEPARATION OF COMPLAINANT AND ACCUSED

While a report of discrimination, harassment and/or retaliation is being investigated, the complainant's supervisor/manager shall make every effort to temporarily separate the complainant and the accused. When feasible and practical, the complainant's wishes should be given preference.

#### VI. PROMPT INVESTIGATIONS

Complaints shall be investigated promptly. The nature and details of the investigation process will vary depending on the issues. The City's objective is to make a fair determination on what happened so it can then take corrective action, if warranted, as soon as possible. Refusal to investigate, or intentional delay in investigating, is a violation of this policy. In the event that the Director of Personnel Services and/or Chief Administrative Officer determines that an investigation may be unduly delayed by Personnel Services, an independent investigative officer may be assigned to conduct the investigation.

#### VII. CONFIDENTIALITY

To the extent possible, the City will make a reasonable effort to investigate complaints in a manner that will protect the confidentiality and privacy interests of all parties. Examples of situations where confidentiality cannot be maintained include circumstances when the City is required by law to disclose information and when disclosure is warranted by the City in order to protect the rights of others. Likewise, employees who are parties, witnesses and participants hereunder should maintain the confidential nature of these complaints.

<b>Subject:</b> <b>Policy Statement: Life Threatening Illness</b>	<b>Number: 2-17</b>
	<b>Date Issued/Revised: December 1, 1998</b>
<b>Responsible Department:</b> <b>DAS—Human Resources</b>	<b>Approved:</b>

## Purpose

The City of Fresno recognizes that employees with life-threatening illnesses may wish to continue normal life activities, including work. The City also recognizes its responsibility to ensure that an applicant's or an employee's medical condition does not present a health or safety risk to other employees or the public.

The purpose of this policy statement is to ensure that applicants and employees with life-threatening illnesses including, but not limited to, cancer, heart disease, Acquired Immune Deficiency Syndrome (AIDS) and AIDS Related Complex (ARC), are treated in a fair, humane and non-discriminatory manner. This policy is also intended to protect the health and safety of the afflicted employee, co-workers and the public.

## Policy

After thoroughly considering the existing medical literature and legal obligations, the City of Fresno has adopted the following policy statements that apply to life-threatening illnesses including, but not limited to, cancer, heart disease, AIDS and ARC:

1. An employee may continue to work in his or her regularly assigned position for as long as the employee is able to meet reasonable performance standards.
2. To the extent that an employee's illness is considered a physical handicap, the City will reasonably accommodate the afflicted employee in a manner that is consistent with the business needs of the City. In such cases, the City reserves the right to require verification by a physician that the employee is able to perform the duties of his/her position and will not be a danger to himself/herself or others.
3. No employee with a life-threatening illness will be denied or restricted in the use of benefits, subject to any regulations or restrictions applicable to all employees regarding these benefits.
4. In the event that an ill employee is no longer able to perform the duties of his/her position, despite reasonable accommodation, the employee will be treated as any other disabled employee.
5. The City will not tolerate harassment of an employee with a life-threatening disease by any co-worker, supervisor, manager, or any other person employed by or under contract with the City of Fresno.

### **Employee Reactions and the Role of Education**

Frequently, a victim of a life-threatening illness must not only suffer the medical consequences of the disease but also the negative reactions of others in the workplace. Such reactions are often brought on by ignorance, misunderstanding and fear. The City of Fresno is particularly aware of the concerns, both warranted and unwarranted, regarding AIDS. AIDS is a life-threatening illness. All medical evidence, however, indicates that AIDS is **not** transmittable through casual contact nor through the normal activities that occur in the workplace. Managers and supervisors should be aware of their own and other employees' fears and misconceptions about specific life-threatening illnesses. These fears must be addressed if disruption and decreased productivity of city operations is to be avoided.

In order to encourage greater understanding and to reduce unnecessary fears of life-threatening illnesses, information and educational opportunities will be made available to all City employees.

### **Confidentiality**

The City recognizes that an individual's medical condition is a personal and private matter. It is City policy that information regarding an employee's health status shall be considered confidential and all reasonable precautions will be taken to protect that confidentiality. This policy applies to all medical information, regardless of whether received orally or in writing.

<b>Subject:</b> Leaves of Absences	<b>Number:</b> 2-19 <b>Date Issued/Revised:</b> January 1, 2000
<b>Responsible Department:</b> DAS—Human Resources	<b>Approved:</b>

## Purpose

To establish uniform policies and procedures applicable to leaves of absence.

## Procedures

### General Provisions

Employees requesting leave shall complete a Leave of Absence Request form 48 hours in advance of the leave, except in an emergency or in the event of illness or injury. The request must be approved by the employee's supervisor before leave is actually taken.

### Sick Leave

Sick leave shall be administered in accordance with the provisions of FMC Section 2-1508, Sick Leave and Special Leave, and applicable federal and state statutes. Sick leave shall be accumulated at the rate of one working day for each completed calendar month of employment. Sick leave shall accumulate during the probationary period but may not be used until the employee has completed six months of employment. Department directors may establish their own requirements for verifying sick leave absences for illness or injury; however, the following minimum requirements shall apply to all City employees:

1. A supervisor may require a doctor's verification of illness, which must be signed by a doctor or an R.N. under a doctor's direction, for any period of absence; however, it shall be mandatory for any employee absent for more than seven (7) calendar days due to illness or non-job related injury to present verification of said illness or injury, which must be signed by a doctor or an R.N. under a doctor's direction, upon return to work. (The physician's statement in this section, or any other statement providing the same information may be used.)
2. When a sick leave absence exceeds 15 calendar days, the employee must file with his department no later than three (3) calendar days following the 15-day period, a statement from the employee's physician regarding the estimated length of disability. If the length of absence exceeds the stated estimated period of disability, a new statement must be filed within three (3) calendar days following the expiration of the original estimated date of return.
3. The issue of whether an employee has a right to unfettered use of all accumulated sick leave prior to retirement or termination has caused much controversy before the Retirement Board and City Council. As a matter of clarification, sick leave is a privilege and not a right. When the use of extended sick leave is predicted, the employee's physical condition will be evaluated to determine the nature and duration of disability. When the physical evaluation indicates that the employee suffers from a permanent or

long-term disability that will interfere with the performance of his duties, it will be the responsibility of the department director to initiate action to transfer, return, terminate or modify duties of the employee in accordance with the appropriate section of the Fresno Municipal Code.

4. Employees must use accumulated sick leave before leave without pay for illness will be granted.
5. In the event of a work stoppage in the form of a sick-out identified by the Chief Administrative Officer, it shall be the policy and procedure of all supervisors to require a doctor's verification of all employees who claim to be ill or injured and request such leave. The City shall retain the discretion to allow or disallow paid sick leave and may request the employee to be examined by a doctor of the City's choosing. the doctor's verification shall consist of the following:
  - a. The employee's name;
  - b. The name and address of the doctor;
  - c. A statement by the physician that the employee is under the care of the physician, and that the illness/injury prevents the employee from performing his/her duties;
  - d. Statement of the specific date(s) the doctor recommends the employee stay off work;
  - e. Date(s) employee was seen by doctor; and
  - f. The verification must be signed by the physician. A signature stamp or nurse's signature will not suffice.

### **Special Leave**

Where special leave charged against sick leave accumulation is used during the hospitalization of a member of the immediate family or for the emergency care of a member of the immediate family, as outlined in Section 2-1508(d) of the Fresno Municipal Code, a verification by the attending physician that the member's presence was required shall be presented to the department immediately upon return to work by the employee.

### **Military Leave**

The following sections are quoted from the Military and Veterans Code, Division 2, Part 1, Chapter 7:

#### **Section 395 (in part):**

Any public employee who is a member of the reserve corps of the armed forces of the United States or of the National Guard or the Naval Militia shall be entitled to a temporary military leave of absence while engaged in military duty ordered for purposes of active military training, encampment, naval cruises, special exercises or like activity as such member providing that the period of ordered duty does not exceed 180 calendar days including time involved in going to and returning from such duty and provided that military leave of absence is not authorized for periods of inactive military duty.

#### **Section 395.01:**

Any public employee who is on temporary military leave of absence and who has been in the service of the public agency from which the leave is taken for a period of not less than one year immediately prior to the day on which the absence begins shall be entitled to receive his salary or compensation as such public employee for the first 30 calendar

days of any such absence. Pay for such purposes shall not exceed 30 days in any one fiscal year. For the purposes of this section, in determining the one year of public service of said public employee in the recognized military service shall be counted as public agency service.

Section 2-1512.1 of the Fresno Municipal Code states that every employee shall be entitled to military leave of absence as provided for in the Military and Veterans Code of California, Division 2, Part 1, Chapter 7.

The following requirements apply to military leave:

1. A completed City of Fresno "Request for Leave of Absence" form shall be submitted to, and signed by, the department director.
2. Formal active duty orders shall be attached to the form. Formal orders are those orders directed to the employee that state type of duty, reporting date, length of duty, duty station, and permanent order numbers, and that bear an authorized signature.
3. A military memorandum addressed "To Whom It May Concern" and signed by or for the commander, will allow an employee to commence military leave. However, formal orders must be submitted within thirty days after such leave is taken. Failure to so submit formal orders shall cause such leave to be converted to vacation leave, or to leave without pay, unless extenuating circumstances cause the formal orders to be unavailable within the 30-day limit, and an explanatory letter signed by or for the commander is submitted to, and approved by, the Chief Administrative Officer.
4. Pursuant to California Military & Veterans Code Section 395.01, the City may adjust an employee's work days so that the employee is not scheduled to work during periods of "inactive duty such as scheduled reserve drill periods."

### **Vacation Leave**

Vacation shall be accumulated and administered in accordance with Section 2-1510 of the Fresno Municipal Code. Vacation leave requests must be signed by the employee and the department director. Employees must use accumulated vacation leave before a leave of absence without pay will be authorized, except that employees on military leave may not be required to take vacation leave in order to attend military duty.

### **Administrative Leave**

For those Management Group employees occupying positions in those classes listed in any current salary resolution or ordinance or attachment thereto, which by reason of indication by an asterisk or other designation, are not entitled to payment of or equivalent compensatory time off for the overtime work, shall be entitled to administrative leave. Such administrative leave shall not exceed 48 hours per year, except where amounts may be approved by the Chief Administrative Officer. Please see Administrative Order 6-13 for details.

### **Leave of Absence Without Pay**

Department directors are authorized to grant leave of absence without pay for periods of ten consecutive working days or less. Leave of absence without pay is otherwise administered in accordance with Section



2-1505 of the Fresno Municipal Code. Employees exempt from overtime shall not be subject to deductions of Leave Without Pay in increments of less than a work day or shift. Employees with medical restrictions may be placed on a part-time basis and will receive the pro-rated salary during the time of restriction.

### **Other Types of Leaves**

All other types of leaves not specifically mentioned above will be administered according to the appropriate section under Article 15 of the Fresno Municipal Code.

### **Unauthorized Absence as Resignation**

In accordance with Fresno Municipal Code Section 2-1512.7, an employee who, without prior authorization, is absent or fails to discharge his regularly assigned duty for three consecutive days, or two shifts in the case of a member of the City fire-fighting force, shall be deemed to have resigned effective as of the end of the day on which he last performed any of the duties of the position. The employee shall not be deemed to have so resigned if he renews the performance of his regularly assigned duties at the commencement of his next regular working day or on-duty shift following the expiration of the aforementioned period of absence or failure to discharge duties. Upon written request of the employee, the appointing authority may reinstate the employee on finding there is good cause for the absence or failure to perform duties, such as bonafide illness, injury, or circumstances beyond the control of the employee, and that the employee is ready and able to resume the discharge of his duties.



**PHYSICIAN STATEMENT/VERIFICATION FORM**

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Physician Name & Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

I certify that the employee whose signature appears on the face of this request is or has been under my professional care, and on this date \_\_\_\_\_, was personally examined by me. In my professional opinion, this employee, due to his/her medical disability, is unable to perform his/her usual and customary employment duties and that \_\_\_\_\_ will be unable to return to work until \_\_\_\_\_.

Date: \_\_\_\_\_

\_\_\_\_\_  
Physician Signature  
(Signature stamp will not suffice)

<b>Subject:</b> Attendance Policy (Applicable to Local 39 Unit 1, FCEA Unit 3, IBEW Unit 7, FPOA Mgmt Unit 9, FAPOFA Unit 11, CFPEA Unit 13, CFMEA Unit 14, and Unrepresented)	<b>Number:</b> 2-19.1
	<b>Date Issued/Revised:</b> December 1, 2003
<b>Responsible Department:</b> Personnel Services	<b>Approved:</b>

## Purpose

To establish a Citywide attendance policy.<sup>1</sup>

## Policy & Procedures

<sup>2</sup>This policy is to be construed on a rolling 12-month period following the effective date. A primary requirement for continued employment is regular attendance. While the City recognizes some absences may be unavoidable, City departments and the employees have an obligation to the public that demands regular and prompt attendance.

Although it is recognized that excessive absenteeism is a proper reason for corrective/disciplinary action, up to and including termination of employment, it is the policy of the City to identify problem areas by keeping proper records, exploring avenues of available assistance, and encouraging compliance with attendance standards.

This attendance policy was developed to establish uniform guidelines to further efforts to provide service to the public, and is designed to be a no-fault program. The pervasive problems stemming from inordinate absences are the focus of this policy, not the nature of the absences.

Authorized leaves and statutorily protected leaves (e.g., Family and Medical Leave Act, California Family Rights Act, military leave, jury duty, subpoenas and court appearances, bereavement leave, vacation leave, FMC leave of absences, suspension, union business, etc.) are outside the scope of this attendance policy.

In the event of a serious illness or injury to the employee requiring the employee's absence during a future period of time, or a serious illness or injury to the employee's spouse, dependent minor children, or parents requiring the employee's absence during a future period of time, the applicable City department, the employee and applicable recognized bargaining unit may agree to a plan for the employee's absence(s) over a specified period of time. If such plan is agreed upon, absences under such plan shall not be subject to this policy.

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<sup>1</sup>CFMEA - Unit 14 PURPOSE Reads: The purpose of this policy is to establish minimum guidelines governing an attendance policy for City employees. City department and division attendance policies that meet and/or exceed these minimum guidelines are considered to be consistent with the purpose of this policy.

<sup>2</sup>CFMEA - Unit 14 POLICY Begins: This is a Citywide policy; however, consult with applicable Memorandums of Understanding and/or department and division policies and procedures for modifications and/or exemptions to the application of this policy.

## **DEFINITIONS AND RULES - SECTION I:**

1. Excluding the authorized and statutorily protected leaves discussed above, an absence or absenteeism is defined as any failure to show up for or remain at work as scheduled regardless of the reason. Any employee who fails to show up for work, or remain at work as scheduled, will be charged with an incident of absence under this policy.
  - (a) Approved leaves (i.e., scheduled leave time prearranged, approved, and authorized) shall not be considered an incident.
  - (b) A day or days of continuous absence due to illness shall be considered one incident.
  - (c) Employees who are absent for an indefinite period due to illness must keep their supervisor informed as to the status of their absence, including specifying any tentative return date if requested by their supervisor or designee. An employee on extended leave for any reason may be contacted by the applicable City department to schedule a return-to-work evaluation before returning to work.
2. Employees who call in advance to give notice they will be late, and report to work within one (1) hour will be charged with a tardy. However, failure to report to work within one (1) hour after their scheduled start time will result in the issuance of a second tardy. Two (2) tardies in any rolling 12-month period shall be equal to one (1) incident.
3. The City reserves the right to require an employee to report to work for the balance of the day on which tardiness occurs. Failure by the employee to report to or remain at work for the balance of the day as directed by a supervisor may be cause for disciplinary action.
4. Any employee who does not report to work in person or by telephone will be considered absent without leave, and subject to disciplinary action as provided in the applicable provisions of the Fresno Municipal Code, as the same may be amended from time-to-time.

## **DISCIPLINE LEVELS - SECTION II:**

1. Excessive absenteeism by an employee shall subject said employee(s) to disciplinary action. Excessive absenteeism for purposes of this policy shall be defined as four (4) or more occurrences (i.e., incident) of absence within any consecutive 12-month period beginning with the effective date of this policy. The 12-month period referred to in this policy shall mean a "rolling" 12-month period.
2. The disciplinary levels under this policy are noted in the table below.

Incident	Level for FCEA Unit 3, IBEW Unit 7, FPOA Mgmt Unit 9 (Non-exempt), FAPOFA Unit 11, CFPEA Unit 13 (Non-exempt), CFMEA Unit 14 (Non-exempt), Unrepresented (Non-exempt)	Level for Local 39 Unit 1
4th	Verbal Warning	Verbal Warning
5th	Letter of Understanding	Letter of Understanding
6th	Written Reprimand	Written Reprimand
7th	\$100 Fine	2 Working Days Suspension
8th	\$300 Fine & 6 month prohibition on working overtime, if non-exempt, unless overtime is management directed	5 Working Days Suspension
9th	10 Working Days Suspension	10 Working Days Suspension
10th	Termination	Termination

The City reserves the right to deviate from this table of progressive disciplinary levels under mitigating circumstances. An example of a mitigating circumstance is a case where an employee with an otherwise exemplary prior history of good attendance (three [3] to five [5] years) experiences an unexpected problem, which causes inordinate temporary absenteeism, or whenever there is a pattern of abuse of time off.

3. For every 90-calendar-day period, an employee who has perfect attendance shall have his or her number of incidents reduced by one (1). The incident to be removed shall be the oldest in the rolling 12-month review period.

#### **EXEMPT EMPLOYEES (UNREPRESENTED AND REPRESENTED):**

The application of this policy to unrepresented and represented exempt employees should be consistent with Federal Fair Labor Standards Act (FLSA) regulations and applied under the direction of the Department Director in consultation with Labor Relations.

Under the FLSA, exempt employees may not be suspended for a period of less than one week. In addition, fines are not a permissible form of discipline for exempt employees. Therefore, suspensions for exempt employees must be done in full weekly increments.

<b>Subject:</b> <b>Attendance Policy (Applicable to ATU Unit 6)</b>	<b>Number:</b> 2-19.2
	<b>Date Issued/Revised:</b> May 20, 2003
<b>Responsible Department:</b> <b>Personnel Services</b>	<b>Approved:</b>

## Purpose

To establish a Citywide attendance policy.

## Policy and Procedures

This policy is to be construed on a rolling 12-month period following the effective date. A primary requirement for continued employment is regular attendance. While the City recognizes some absences may be unavoidable, City departments and the employees have an obligation to the public that demands regular and prompt attendance. It is the employees' responsibility to maintain their physical and mental well being and to achieve a maximum level of productivity.

Although it is recognized that excessive absenteeism is a proper reason for corrective/disciplinary action, up to and including termination of employment, it is the policy of the City to identify problem areas by keeping proper records, exploring avenues of available assistance, and encouraging compliance with attendance standards.

This attendance policy was developed to establish guidelines to further efforts to provide service to the public, and is designed to be a no-fault program. The pervasive problems stemming from inordinate absences are the focus of this policy, not the nature of the absences.

Authorized leaves and statutorily protected leaves (e.g., Family and Medical Leave Act, California Family Rights Act, Military leave, jury duty and subpoenas and court appearances, bereavement leave, vacation leave, FMC leave of absences, suspension, union business, etc.) are outside the scope of this attendance policy.

In the event of a serious illness or injury to the employee requiring the employee's absence during a future period of time, or a serious illness or injury to the employee's spouse, dependent minor children, or parents requiring the employee's absence during a future period of time, the applicable City department, the employee and applicable recognized bargaining unit may agree to a plan for the employee's absence(s) over a specified period of time. If such plan is agreed upon, absences under such plan shall not be subject to this policy.

### **DEFINITIONS AND RULES - SECTION I:**

1. Excluding the authorized and statutorily protected leaves discussed above, an absence or absenteeism is defined as any failure to show up for or remain at work as scheduled regardless of the reason. Any employee who fails to show up for work, or remain at work as scheduled, will be charged with an incident of absence under this policy.

- (a) Approved leaves (i.e., scheduled leave time prearranged, approved, and authorized) shall not be considered an incident.
  - (b) A day or days of continuous absence shall be considered one incident.
  - (c) Employees who are absent for an indefinite period due to illness must keep dispatch informed as to the status of their absence, including specifying any tentative return date if requested by their supervisor or designee.
2. Any employee who does not report to work in person or by telephone will be considered absent without leave, and subject to disciplinary action as provided in the applicable provisions of the Fresno Municipal Code, as the same may be amended from time to time.

**DISCIPLINE LEVELS - SECTION II:**

1. Excessive absenteeism by an employee shall subject said employee(s) to disciplinary action. Excessive absenteeism for purposes of this policy shall be defined as four (4) or more occurrences (i.e., incident) of absence within any consecutive 12-month period beginning with the effective date of this policy. The 12-month period referred to in this policy shall mean a "rolling" 12-month period.
2. The disciplinary levels under this policy are noted in the table below.

Incident	Employee Optional Levels		
4th	Verbal Warning		Verbal Warning
5th	Letter of Understanding		Letter of Understanding
6th	Written Reprimand		Written Reprimand
7th	\$100 Fine	OR	2 Working Days Suspension
8th	\$300 Fine	OR	5 Working Days Suspension
9th	10 Working Days Suspension		10 Working Days Suspension
10th	Termination		Termination

The City reserves the right to deviate from this table of progressive disciplinary levels under mitigating circumstances. An example of a mitigating circumstance is a case where an employee with an otherwise exemplary prior history of good attendance [three (3) to five (5) years] experiences an unexpected problem, which causes inordinate temporary absenteeism, or whenever there is a pattern of abuse of time off.

3. For every 90-calendar-day period, an employee who has perfect attendance shall have his or her number of incidents reduced by one (1). The incident to be removed shall be the oldest in the rolling 12-month review period.

<b>Subject:</b> Sick Leave Policy	<b>Number:</b> 2-20 <b>Date Issued/Revised:</b> January 1, 2000
<b>Responsible Department:</b> DAS—Human Resources	<b>Approved:</b>

## Purpose

To establish uniformity in the method of reviewing employees' sick leave usage and the guidelines for imposing a physician's verification requirement.

It is management's responsibility to ensure that sick leave usage and absenteeism do not adversely affect the department's ability to provide service to the public. Excessive absenteeism is costly, time-consuming, and a hindrance to department progress. Sick-leave usage will therefore be monitored, identified, and subject to verification, if necessary.

## Policy

This is a Citywide policy; however, consult with applicable Memorandums of Understanding for modifications and/or exemptions to the application of this Administrative Order. Sick leave is a benefit to be used when an employee is absent because he or she is unable to work due to illness or injury. Legitimate uses for sick leave include medical/dental appointments and any time when illness, injury or the use of medication inhibits an employee's ability to perform his or her job tasks. It is the employee's responsibility to come to work healthy and able to work safely.

Employees covered by this policy are allowed to use up to 48 hours of accumulated sick leave per calendar/fiscal year for Family Sick Leave, to care for members of their immediate family (as defined by the Fresno Municipal Code [FMC] and State of California Labor Code, Chapter 164, Section 233). Family Sick Leave may be used to actually care for or arrange for the care of family members who are ill and cannot care for themselves, or to take family members to routine medical or dental appointments.

Family Sick Leave differs from Family Care Leave (Family Medical Leave Act) in that the latter is intended for long-term, serious medical care of the employee or family member, as defined in Administrative Order 2-19.

The City's acceptable limit for sick leave usage is 8 days or 64 hours per fiscal year. For employees who work on a 4/10 schedule, the limit is 8 days or 80 hours per fiscal year. For employees who work 56 hours per week, the limit is 4 shifts or 96 hours per fiscal year. For Permanent Intermittent and Permanent Part-time employees, the limit will be prorated, based on the percentage of full-time equivalent identified for each position in the Position Authorization Resolution.

If patterns of sick leave (e.g., Fridays and Mondays) appear abusive, an immediate review may be warranted. Any sick leave usage that is determined by the supervisor to be disruptive to the routine functions of the department may be grounds for immediate review. In cases of suspected abuse or misuse of sick leave, the supervisor may, at his/her discretion, impose a physician's statement requirement without prior counseling.



It is the responsibility of every employee to maintain his/her physical and mental well-being so that he/she is capable of assuming an equal share of the workload. It is also expected that an employee achieve a maximum level of productivity.

## Procedures

1. The division manager, or his designee, will review sick leave usage biannually, in January and July, for any employee exceeding 32 hours usage (40 hours for 4/10 employees; 48 hours for 56-hour employees) in the previous six-month period.
2. Records indicating sick leave usage in excess of the review limit will be examined further.

Leave of Absence requests will be reviewed to determine how many hours of sick leave were hours that, for the purposes of this policy, are to be considered exempt. Sick leave hours used for the following reasons are exempt:

- a. A long-term illness or injury of 40 or more consecutive working hours. Employees will be required to submit a physician's statement verifying the illness or injury. An employee whose absence would otherwise be exempt under this section, who returns to work for up to 4 hours during his or her absence, will not lose the exemption (e.g., the employee is absent from work for 36 hours of a 40 hour work period; or for an employee on a 56-hour workweek, 44 hours of a 48 hour work period).
- b. Pre-approved, scheduled medical or dental appointments of less than four hours. Multiple appointments on the same day, such as those for lab tests and x-rays that take longer than four hours, will be considered exempt. For appointments of more than four hours, employees will be required to submit a statement from the medical offices verifying the appointment(s). This does not preclude the department from requiring verification notes for all medical/dental appointments as provided in FMC Section 2-1508(f).
- c. Sick leave used for Workers' Compensation absences.
- d. Special sick leave used for a death in the immediate family, during the hospitalization of a member of the immediate family, or on the day of the birth of his child, as provided in FMC Section 2-1508(i). In such cases, absences for these purposes may be authorized on special leave only if a physician provides a written statement that the employee's presence at the hospital is required.
- e. An ongoing medical condition of a serious nature, e.g., diabetes or chemotherapy. Employees will be required to submit a letter from the physician indicating the estimated length and frequency of absences.
- f. Surgery and/or hospitalization. Employees will be required to submit a physician's statement.
- g. Up to 48 hours of accumulated sick leave per calendar/fiscal year for Family Sick Leave, to care for members of their immediate family (as defined by the FMC and State of California Labor Code, Chapter 164, Section 233).

3. Employees whose adjusted sick leave hours exceed the limit for the first time will be counseled and advised to reduce sick-leave usage. Supervisory staff would not be required to hold such a counseling session or impose the physician's statement requirement in situations where the employee's hours meet the above exclusions. Records of counseling will be kept by the division manager or his/her designee, and will not be placed in employee personnel files.
4. Employees who are counseled will have their sick leave usage reviewed in three months to determine if their usage has exceeded the limit of 16 hours (20 hours for 4/10 employees; 24 hours for 56-hour employees). If the usage is at or below the limit, no further action is required. If it is above the limit, the division manager will prepare a Letter of Understanding informing the employee of a physician's statement requirement. The employee will be required to provide written verification, from the physician or an R.N. under the physician's direction, for every sick leave absence during a period of three months.
5. Should the employee fail to submit a signed physician's excuse for any absence during this three-month period, that absence will be treated as "Leave Without Pay." Supervisors would take action to ensure that employees are placed on Leave Without Pay for any unverified absences.

If the supervisor fails to take such action, the leave will be deducted from the employee's sick or vacation balance.

6. Should the employee's sick leave usage fall below the 16-hour limit (20 hours for 4/10 employees; 24 hours for 56-hour employees) at the conclusion of the three-month period, the requirement for physician's verification will cease. This does not preclude the division manager from requiring physician's verification if individual circumstances warrant it. Should the employee's sick leave usage remain above the limit, the physician's verification requirement shall be extended in three-month increments.
7. If an employee's usage remains within the limit for a 24-month period following removal from the physician's verification requirement, or initial counseling session, the first step for any future action will be counseling, as provided in "3" above.
8. If an employee's sick leave usage continues to exceed the standard set by the policy, progressive corrective action as defined in Administrative Order 2-14 may be taken, up to and including suspension or dismissal. Before progressive corrective action is taken, an employee's sick leave usage over his or her City career will be considered in determining the appropriateness of discipline.

<b>Subject:</b> Family Leave	<b>Number:</b> 2-21
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> DAS—Human Resources	<b>Approved:</b>

## Purpose

"Family Leave" is separately mandated under the Federal Family and Medical Leave Act of 1993 ("Federal Act") and the California Family Rights Act of 1991 ("California Act"). The Federal Act does not preempt the California Act and both Acts must be consulted in order to ensure compliance. The California Department of Fair Employment and Housing and the United States Department of Labor have issued extensive regulations interpreting and implementing the various provisions of the Federal and California Acts. This Administrative Order is intended to provide an overview and summary of the Federal and California Acts. In the case of any conflict with this Administrative Order, the administrative regulations issued by Federal and State authorities shall control. This Administrative Order does not address pregnancy disability leave as provided under Sections 12940 and 12945 of the California Fair Employment and Housing Act.

## Procedures

1. **Entitlement to Family Leave:** All employees who have been employed for at least 12 months and have worked at least 1,250 hours in the year preceding the date the employee seeks to start the leave are entitled to utilize Family Leave.
2. **Leave Available:** Eligible employees are entitled to take up to 12 weeks of leave during the 12 months of the City's fiscal year for the following purposes:
  - a. **Child Care:** Leave may be taken because of the birth, adoption, or foster-care placement of a child in order to care for the child.
    - (1) Child care leave must be concluded within 12 months from the date of the birth, adoption or foster-care placement.
    - (2) Parents who are both employees of the City and who are eligible to take leave are entitled to take a combined 12 weeks of Child Care leave.
    - (3) Employees who anticipate taking Child Care leave must provide notice of their intent at least 30 days prior to the date leave is anticipated to begin, or as soon as practicable if leave becomes necessary before such 30-day notice.
  - b. **Family Care:** Leave may be taken to care for a son, daughter, spouse, or parent who has a serious health condition.

- (1) A serious health condition is one that:
    - (a) requires inpatient treatment; or
    - (b) causes an absence from work, school, or normal activities for more than three days and requires treatment by or under the direction or supervision of a health-care provider on two or more occasions.
  - (2) Employees requesting Family Care leave must present a fully completed certification from a health-care provider in a form to be prescribed by Human Resources.
  - (3) Employees taking Family Care leave may take the leave intermittently upon production of a health care provider's certification that the intermittent leave is necessary for or will assist the care of the family member and provides the dates and duration any treatment and leave is expected. Employees using leave on an intermittent basis must make all reasonable attempts to schedule the leave so as to minimize disruption to normal operations. Further, an employee taking intermittent leave may be reassigned to an alternative position, with equivalent pay and benefits, that better accommodates the recurring periods of leave.
  - (4) Employees who anticipate taking Family Care leave under this paragraph are required to provide notice of their intent at least 30 days prior to the date leave is anticipated to begin, or such notice as is practicable if leave becomes necessary before such 30-day notice period.
- c. **Self-Care:** Leave may be taken when the employee is unable to perform the essential functions of the position that the employee holds.
- (1) Employees seeking Self-Care leave must have a serious health condition, as defined under paragraph 2b(1), above.
  - (2) Employees requesting Self-Care must present a fully completed certification from a health care provider in a form to be prescribed by Human Resources.
  - (3) Employees taking Self-Care leave may take the leave intermittently upon production of a health care provider's certification that certifies that the intermittent leave is medically necessary, provides the dates and duration of any treatment and the leave expected. Employees using leave on an intermittent basis must make all reasonable attempts to schedule the leave so as to minimize disruption to normal operations. Further, an employee taking intermittent leave may be reassigned to an alternative position, with equivalent pay and benefits, that better accommodates the recurring periods of leave.
  - (4) Employees who anticipate taking Self-Care leave must provide notice of their intent at least 30 days prior to the date leave is anticipated to begin, or as soon as practicable if leave becomes necessary before such 30-day notice period.

- d. **Failure to Provide Required Certifications:** Failure to provide the certifications required under this paragraph may result in denial of the requested leave.
- 3. **Use of Accrued Paid Leave:** Eligible employees shall be required to use accrued paid leave before unpaid leave is taken under the following circumstances:
  - a. **Child or Family Care:** Employees taking leave upon the birth, adoption, or placement of a foster child under paragraph 2a, above, or for the care of a son, daughter, spouse, or parent under paragraph 2b, above, must use all accrued vacation, holiday, compensatory and administrative leave prior to taking unpaid leave.
  - b. **Self-Care:** Employees who take Self-Care leave under paragraph 2c, above, must use accrued vacation, holiday, compensatory, administrative and sick leave prior to taking unpaid leave.
- 4. **Benefits While on Leave:** During any period of leave under this policy, an employee's group health insurance coverage will be maintained at the same level and under the same conditions as before the leave began.
  - a. **Employee Contributions:** Employees who normally make a contribution toward their health insurance coverage must continue to do so. If on paid leave, the employee's contribution will be collected in the same manner as if the employee were reporting to work. During periods of unpaid leave, the employee must arrange with the Finance Division for payment of the employee's share of the premium prior to commencement of the leave.
  - b. **Liability For City Paid Contributions:** An employee who does not return to duty from unpaid leave under this policy for at least 30 calendar days will be liable for the City's group health insurance premium contribution and any part of the employee's share paid by the City, unless the failure to return to duty is caused by continuation, recurrence, or onset of a serious health condition that would otherwise entitle the employee to leave under this policy or for circumstances beyond the employee's control. Where recovery of premiums is permitted, the City shall be entitled to recover the amount against any final pay or monetary benefit to which the employee would otherwise be entitled.
  - c. **Other Benefits:** Employees will not accrue any other benefits while in an unpaid leave status.
- 5. **Return to Duty:** Upon return to duty, an employee is entitled to be restored to the former position or an equivalent position with equivalent pay and benefits except as noted below:
  - a. An employee who has taken leave for self-care under paragraph 2c, above, will be required to present a certification of fitness for duty from a health-care provider prior to commencement of work. Failure to provide the certification may cause denial of reinstatement.
  - b. Reinstatement may be denied to any salaried employee with an annual salary among the highest paid 10 percent of all City employees if reinstatement causes substantial and grievous economic injury to the operations of the City.

## **CERTIFICATION OF PHYSICIAN OR PRACTITIONER**

The employee named below has requested leave under the provisions of the Federal Family and Medical Leave Act and/or the California Family Rights Act. Your assistance in completing this form is appreciated.

1. Employee's name: \_\_\_\_\_  
\_\_\_\_\_

2. Patient's name (if other than employee): \_\_\_\_\_  
\_\_\_\_\_

3. Date condition commenced: \_\_\_\_\_  
\_\_\_\_\_

4. Probable duration of condition: \_\_\_\_\_  
\_\_\_\_\_

5. Regimen of treatment to be prescribed. (Indicate number of visits, general nature and duration of treatment, including referral to other providers of health services. Include schedule of visits or treatment if it is medically necessary for the employee to be off work on an intermittent basis or to work less than the employee's normal schedule of hours per day or days per week.):

A. By Physician or Practitioner:

B. By any other health care provider:

**IF THIS CERTIFICATION RELATES TO THE CARE OF AN EMPLOYEE WITH A SERIOUS HEALTH CONDITION, COMPLETE ITEMS 6, 7 & 8 AND PROCEED TO COMPLETE ITEMS 13 - 15.**

**IF THIS CERTIFICATION RELATES TO CARE FOR AN EMPLOYEE'S FAMILY MEMBER WITH A SERIOUS HEALTH CONDITION, SKIP ITEMS 6, 7 & 8 AND PROCEED TO ITEMS 9 THRU 15 ON REVERSE SIDE. OTHERWISE CONTINUE BELOW.**

### EMPLOYEE'S STATUS

Check YES or NO in the boxes below, as appropriate.

- |    | Yes                      | No                       |   |
|----|--------------------------|--------------------------|---|
| 6. | <input type="checkbox"/> | <input type="checkbox"/> | Is in-patient hospitalization of the employee required?   |
| 7. | <input type="checkbox"/> | <input type="checkbox"/> | Is employee able to perform work of any kind? (If "NO", skip to Items 13 - 15.)   |
| 8. | <input type="checkbox"/> | <input type="checkbox"/> | Is employee able to perform the functions of employee's position? (Answer after reviewing statement from employer of essential functions of employee's position, or, if not provided, after |

discussing with employee.)

FAMILY MEMBER STATUS

- Yes      No
9.   ☐   ☐   Is in-patient hospitalization of the family member (patient) required?
10.   ☐   ☐   Does (or will) the patient require assistance for basic medical, hygiene, nutritional needs, safety or transportation?
11.   ☐   ☐   After review of the employee's signed statement (see Item 13 below), is the employee's presence necessary or would it be beneficial for the care of the patient? (This may include psychological comfort.)
12.   Estimate the period of time care is needed or the employee's presence would be beneficial:
- \_\_\_\_\_
- \_\_\_\_\_
13.   Signature of Physician or Practitioner: \_\_\_\_\_
- \_\_\_\_\_
14.   Date: \_\_\_\_\_
- \_\_\_\_\_
15.   Type or Practice (Field of Specialization if any):

**ITEM 16 IS TO BE COMPLETED BY THE EMPLOYEE NEEDING FAMILY LEAVE**

16.   When Family Leave is needed to care for a seriously ill family member, the employee shall state the care he or she will provide and an estimate of the time period during which this care will be provided, including a schedule if leave is to be taken intermittently or on a reduced leave schedule:

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Note: Employee signature required only when requesting family leave (see item 16).



(07/26/94)  
doc:familyleave/dir:pao

<b>Subject:</b> Salaries While Absent Due to Work-Related Injury	<b>Number:</b> 2-22
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> DAS—Human Resources	<b>Approved:</b>

## Purpose

1. To outline the City's policy in regard to salaries when a permanent City employee is absent due to a work-related injury.
2. To establish a uniform procedure designed to verify that an employee's injury was actually incurred in the course and scope of employment.
3. To promulgate procedures for the administration of workers' compensation benefits, which are established by law, Resolution or Memorandum of Understanding.

## Policy and Procedure

1. Upon receiving knowledge that an employee has sustained a work-related injury which requires medical treatment or involves lost time, the employee's department shall submit the following claim forms to the Personnel Department for documentary purposes:
  - a. The original "Employer's Copy" and "Insurer/Administrative Agency Copy" of the completed Employee's Claim for Workers' Compensation Benefits; and
  - b. The original and two copies of the completed Employer's Report of Industrial Injury or Illness.
2. Where the employee's absence can be directly traced to a work-related injury, the employee's department shall place the employee on Injury Pay in accordance with the provisions of Fresno Municipal Code Section 2-1515. (Note: For law enforcement officers and firefighting personnel, claims involving a hernia, pneumonia, tuberculosis, or heart trouble are presumed to be work related.)
3. Where there is doubt as to whether the employee's absence is directly traced to a work-related injury, the employee's department shall place the employee on sick leave, vacation, holiday, administrative, compensating time off (CTO) or leave without pay as appropriate. If the employee's absence is ultimately determined to be industrial, the employee shall receive the specified percentage of wages or salary and the leave hours used will be restored to the employee's account. If repayment is required as a result of this adjustment, it will be deducted from subsequent monies owed the employee in installments equal to the number of pay periods originally involved.

4. Partial days of absence from duty necessitated by the employee's attendance at medical examinations or treatment in connection with a work-related injury shall require verification from the medical provider which specifies the injury and outlines the date and nature of the service provided. Such partial days of absence, including the day of injury, shall be at full pay and shall not be credited to the waiting period; however, this time shall be recorded as injury absence.
5. Absences from duty due to the employee's physical incapacity to perform the required duties of the position shall require physician verification. Such verification shall specify the injury, include the date of medical examination, a diagnosis of the employee's condition, the anticipated dates of disability, and an explanation by the attending physician regarding the relationship to any claimed industrial injury.
6. Subsections (a) and (b) of Section 2-1515 of the Fresno Municipal code specify the regulations applicable to Workers' Compensation salary continuation.
7. Subsection (c) of Section 2-1515 of the Fresno Municipal Code allows for modification of Subsection (a) and (b) if accomplished by Council Resolution or Memorandum of Understanding.
8. Paid leave time may not be used to supplement the amount of salary continuation which is authorized for job-related injuries.
9. Retirement benefits shall not be reduced as a result of compensation at the reduced percent payment rate. Changes in contribution by the City and employee shall be in accordance with applicable retirement code section.
10. Taxes shall not be withheld on compensation at the reduced percent rate, which is not taxable, due to injury in the line of duty.

<b>Subject:</b> Reasonable Accommodation for Disabled Employees	<b>Number:</b> 2-23
	<b>Date Issued/Revised:</b> December 30, 2002
<b>Responsible Department:</b> Personnel Services	<b>Approved:</b>

## Policy

It is the policy of the City that a disabled employee who is able to perform the essential functions of his/her position with or without reasonable accommodation be retained in their same job. Disabled employees who are unable to meet this criteria, without causing the City undue hardship, shall be afforded the opportunity of a potential transfer to a vacant position within the City for which they are otherwise qualified.

## Procedures

1. Upon receipt of information that verifies an employee has a disability which is permanent or of a long-standing duration, the appointing authority shall have thirty (30) working days to consider reasonable accommodation(s) that will enable the employee to continue to perform the essential functions of his/her position or offer the employee the opportunity to transfer to a vacant position within their department/division for which the employee is otherwise qualified. An appointing authority who is unable to provide reasonable accommodation or transfer shall provide the Director of Personnel Services, or his/her designee, with the specific reasons or circumstances that constitute an undue hardship that preclude the retention of the employee in his/her department.
2. If the employee cannot be retained in his/her current position or transferred to a suitable vacancy within the department, the Director of Personnel Services, or his/her designee, shall, within five (5) working days, provide the employee with written notice requesting the employee complete an employee information sheet, which shall be used to determine the employee's qualifications for possible transfer to a vacant position outside of the employee's department. The disabled employee shall have ten (10) working days to respond to the offer of potential transfer, which shall include the return of the employee's completed information sheet. An employee's failure to respond within the ten (10) working day notice with the completed information sheet shall constitute a rejection by the employee to consider the opportunity to transfer.
3. In the event that the employee expresses interest in exploring a disability transfer outside of his/her own department and returns the completed information sheet, the following procedures shall be initiated:
  - a. The Personnel Services Department representative shall review the disabled employee's qualifications and develop a list of vacancies to begin the interactive process with the employee to identify an alternate position. It shall remain the prerogative of the Director of Personnel Services to determine which vacancies are suitable for ultimate transfer. The employee shall have ten (10) working days to respond to this offer of possible appointment during which time the employee may request the assistance of the Personnel Services Department representative in learning the functions and necessary skills and abilities required of the vacant positions that are offered. The

employee shall also advise the Personnel Services Department of representative of the accommodations that the disabled employee believes are necessary to facilitate the transfer which may be subject to verification.

- b. Upon receipt of information that the employee has expressed an interest in one or more of the offered vacancies, the Personnel Services Department shall have five (5) working days to arrange an interview between the employee and the appointing authority. The purpose of this interview shall be to determine if the disabled employee possesses the skills, abilities, and knowledge necessary to perform the essential functions of the subject vacant position and not to determine if the disabled employee is the "most qualified." An appointing authority who does not select the employee for appointment to the position must, within five (5) working days, provide the Director of Personnel Services, or his/her designee, with the specific reasons or circumstances that precluded appointment. Reasons for rejection must be job-related, consistent with business necessity, and legally defensible. The decision as to whether this condition has been met rests solely with the Director of Personnel Services.
- c. Upon successful completion of the interview, the appointing authority shall communicate to the Personnel Services Department that the employee has been given a conditional offer of employment contingent upon medical clearance. The Personnel Services Department shall communicate with the employee's treating physician, or the appropriate medical authority, who shall determine if the employee can perform the duties of the position. Upon receipt of acceptable medical clearance, the Personnel Services Department shall advise the appointing authority to prepare and submit an Employee Action Form reflecting the transfer and the process concluded. Should the employee's physician, or the appropriate medical authority, fail to support the transfer, the process shall be concluded and the parties notified.
- d. If reasonable accommodation or transfer cannot be provided, or if the disabled employee has failed or declined participation in the process, separation from City service without further delay, in accordance with existing Fresno Municipal Code procedures, is authorized.

<b>Subject:</b> Employee Assistance Program	<b>Number:</b> 2-24
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> DAS—Human Resources	<b>Approved:</b>

## Purpose

The City of Fresno recognizes that many employment problems involving unacceptable work behavior may be caused by health problems, problem drinking, drug use, or emotional problems. It is further recognized that virtually any behavioral or health problem can be successfully treated or assisted providing it is identified and referral is made to an appropriate source of care or help. The purpose, therefore, of this program is to implement a workable Employee Assistance and Occupational Alcoholism Program that will:

1. Help supervisors to identify unacceptable work behavior at the earliest possible time; and
2. Refer the individual to a source of counseling assistance or treatment.

## Policy

The following policies will govern the program:

1. While the focus of this program is on alcoholism, unacceptable work performance or behavior due to both problem drinking or personal problems will be identified and referred for counseling and assistance.
2. The Assistance Program is neither pro-management nor pro-labor; it is a pro-people program.
3. The City views alcoholism as a treatable disease.
4. The use of alcohol by a City employee is a concern to the City as an employer when it results either directly or indirectly in job-related problems. A job problem exists when an employee's personal problems or use of alcohol:
  - a. Interferes with the efficient and safe performance of the assigned duties.
  - b. Reduces his or her dependability.
  - c. Reflects discredit upon the City.
5. No entry will be made in an employee's personnel file regarding his/her identification and referral for assistance or treatment. (This confidentiality extends only to the identification of personal problems and referral to assistance; the substandard performance can and should be totally documented and made a part of the employee's file.)

6. The City, through appropriate agencies, will offer rehabilitation assistance to any employee who suffers from alcoholism or problem drinking, but the responsibility for acceptance and following up with treatment is the responsibility of the employee.
7. Sick leave may be used for limited period of treatment in a detoxification unit or a rehabilitation center, providing satisfactory progress is maintained. (Limited period of treatment is defined as the period of time normally required for the modality of treatment being used.)

## Procedures

The Occupational Alcoholism Program processes the employee through four basic steps, which occur in the following order:

1. **Identification of the Employee.**

The supervisor must document instances where an employee's job performance or work behavior has fallen below acceptable standards and the cause cannot be attributed to lack of training or knowledge. **It must be emphasized that the only criterion for the identification of an alcoholic employee is deteriorating work performance.**

2. **Confrontation with the Employee.**

Once the employee's substandard work performance has been documented and appropriate counseling fails to bring the work performance up to acceptable standards, the employee should be confronted with the documented evidence of poor performance. Since usual corrective procedures have failed to bring the employee's work up to an acceptable standard, the assumption can be made that a personal problem is the cause. The employee should be given the option of facing further disciplinary action or meeting with the Employee Assistance Coordinator, who will help him obtain professional counseling. The supervisor can make an appointment for the individual by calling the Employee Assistance Coordinator. **The supervisor should not make any attempt to diagnose an employee's problem as stemming from alcohol, drug abuse, or other problems--this is the task of a trained counselor.** (In those cases where the counseling associated with previous corrective action has brought a drinking or personal problem to the point of open discussion, this may be included in the information provided to the Employee Assistance Officer.)

3. **Referral of the employee to a Counselor.**

The supervisor can refer the employee directly to the counselor or, if he chooses, to the Employee Assistance Coordinator (EAC). The EAC will meet with the employee for the purpose of getting the employee to accept counseling from an appropriate source. If the employee refuses to accept additional counseling or referral to a source of assistance, the coordinator will refer the employee back to the supervisor for appropriate corrective action. In the event referral to assistance is rejected, this fact should be recorded for use should the corrective action be appealed or grieved.

On occasion, more than one session with the Employee Assistance Coordinator or the counselor will be necessary. The employee will be released to attend these sessions.

4. **Follow-up Procedure.**

The initial counseling will be done by a professional counselor from the Alcoholism Council of Fresno County. The counselor will direct the employee to an appropriate source of assistance, if the problem is not alcoholism. If the problem is alcohol, the counselor will direct the employee into the appropriate treatment modality and monitor his/her progress.

The counselor will keep the coordinator and supervisor informed of the employee's progress. The supervisor, in turn, will keep the counselor or coordinator informed of the employee's job performance improvement or continued deterioration.

In the event that the rehabilitation effort is unsuccessful after a reasonable period of time, the supervisor should proceed with disciplinary action or other alternatives that may be appropriate.

**Record Keeping**

No entry regarding counseling or referral will be made in the employee's personal records.



<b>Subject:</b> Policy on Drug and Substance Use	<b>Number:</b> 2-25 <b>Date Issued/Revised:</b> September 1, 2000
<b>Responsible Department:</b> DAS—Human Resources	<b>Approved:</b>

## Purpose

To all employees except Fire Non-management Unit.

## Policy

The City of Fresno is committed to protecting the health and safety of individual City employees, their co-workers, and the public from the hazards caused by the misuse of drugs and alcohol by its employees.

## Application

1. This policy applies to all employees noted above and to all applicants for positions with the City of Fresno. This policy applies to alcohol and to all substances, drugs or medications, legal or illegal, which could impair an employee's ability to perform the functions of the job effectively and safely.
2. This policy is not intended to apply to emergency services employees who may be exposed to alcohol or other controlled substances during the course of their assigned duties.

## Policy Rules

1. An employee shall not work under the influence of any drug or medication that impairs his/her ability to safety and efficiently perform the required duties of the position.
2. An employee shall not purchase, possess, use, sell or furnish alcoholic beverages during the course or performance of his/her assigned duties. (Exception: Employees may participate in City sponsored functions or promotional activities where alcohol may be served.) Under no circumstance shall an employee report to the work site under the influence of an alcoholic beverage.
3. An employee shall not purchase, possess, use, sell, furnish, or be under the influence of any illegal drug or controlled substance during the course or performance of his/her assigned duties.
4. An employee shall not purchase, possess, use, be under the influence of, sell, or furnish any prescription drug during assigned work hours, or while on duty or while using City equipment unless:
  - a. The prescription was issued by authorized medical personnel and the employee follows the prescription instructions.

- b. The employee shall have consulted with the prescribing physician as to the possible effects of the drug and shall have informed his or her supervisor if such use of the drug may affect the employee's ability to perform his or her duties safely.
- 5. An employee who reports to the job site and advises his/her supervisor of limitations or restrictions resulting from a prescription or over-the-counter drug may be assigned less than the full range of duties at the sole discretion of the supervisor. Employees will not be subject to disciplinary action through compliance with this procedure.
- 6. An off-duty employee shall not utilize City employment to facilitate the sale, purchase, or distribution of any illegal drug or controlled substance.
- 7. Upon a showing of just cause, a representative(s) of the City may, in the presence of the employee or the employee's representative, or after the employee has been given the opportunity to designate a representative, search all areas and property over which the City maintains joint or full control with the employee. For this reason, employees are discouraged from bringing personal items to work unless such items are necessary to their employment with the City.
- 8. An employee shall, within five (5) days, report to the appointing authority any criminal conviction for drug-related activity in the workplace.
- 9. Department directors may promulgate additional rules in accord with this policy and appropriate to the work requirements and responsibilities of their employees. Such additional rules shall be subject to Government Code Section 3500 et seq. and other applicable laws, rules and regulations.

#### **Terms/Definitions**

- 1. Dosage: The appropriate amount of medication recommended by a physician for an over-the-counter or prescription drug.
- 2. Drug: An illegal drug, an over-the-counter drug, or a prescription drug.
- 3. Furnish or Furnished: Does not include furnishing which occurs in the course of legitimate law enforcement activities.
- 4. Industrial or Vehicle Accident
  - a. "Industrial Injury" is an injury that arises out of and during the course of an individual's employment.

- b. "VehicleAccident" is an occurrence associated with the operation of equipment or a motor vehicle that is owned by, or leased to, the City, including an employee' s personal vehicle used for City business.
- 5. Illegal Drug: A controlled substance, as defined by state or federal law, that has not been obtained in accordance with the regulations promulgated to administer its distribution, or a drug that has not been assigned an FDA number.
- 6. Over-the-Counter Drug: A drug lawfully available for retail purchase without a prescription.
- 7. Possess or Possessed: Does not include possession that occurs in the course of legitimate law enforcement activities.
- 8. Prescription Drug: A drug lawfully available for retail purchase only with a prescription.
- 9. Purchase or Purchased: Does not include a purchase that occurs in the course of legitimate law enforcement activities.
- 10. Reasonable Cause: Reasonable cause shall exist when two supervisors, one of whom shall be from the employee' s work unit/division and who is trained in the detection of drug use, articulate and can substantiate in writing specific behavioral, performance or contemporaneous physical indicators of being under the influence of drugs or alcohol on the job. The objective indicators shall be recognized and accepted symptoms of intoxication or impairment caused by drugs or alcohol. Cause is not reasonable and thus not a basis for testing, if it is based solely on the observations and reports of third parties. The grounds for reasonable cause must be documented by the use of an Incident Report Form (\*See Appendix II).
- 11. Using City Equipment: Operating, or assisting in operating, equipment or a motor vehicle that is owned by or leased to the City, including an employee' s personal vehicle used for City business.

### **Prior Notice of Testing Policy**

The City shall provide a copy of its Drug Policy to all employees along with a notice that will contain the following information:

- a. The need for drug and alcohol testing;
- b. The circumstances under which testing may be required;
- c. The procedure for confirming an initial positive drug test result;
- d. The consequences of a confirmed positive test result;
- e. The consequences of refusing to undergo a drug and alcohol test;
- f. The right to explain a positive test result and the appeal procedures available; and
- g. The availability of drug abuse counseling and referral services.

## Identification and Consent Procedures

1. An employee may be required to submit promptly to drug/alcohol testing by a City selected physician or laboratory if:
  - a. The employee sustains an industrial injury and there exists reasonable cause that the employee is impaired or under the influence of drugs or alcohol.
  - b. The employee, while using City equipment, is involved in an accident wherein the employee's individual action, or lack thereof, provides reasonable cause that the employee is impaired or under the influence of drugs or alcohol.
  - c. The management or supervisory employee has reasonable cause that the employee is impaired or under the influence of drugs or alcohol in violation of this policy. (See Appendix I for guidelines.)
2. If two trained supervisors believe that there is reasonable cause for a drug/alcohol test, the following procedures shall be used:
  - a. The employee shall be immediately informed of the supervisor's suspicions and advised that he/she may have a representative present. This notification procedure shall be documented on the Incident Report Form (Appendix II). The delay in securing such representation shall not exceed one hour from the time the employee was ordered to submit to the drug/alcohol test. The employee shall be permitted a period of time not to exceed 15 minutes in which to confer with the representative upon arrival.
  - b. A supervisor shall document the specific objective factors constituting reasonable cause for the drug/alcohol test on the Incident Report Form.
  - c. The employee will be offered an opportunity to give an explanation of his/her condition, such as reaction to a prescribed drug, fatigue, etc.
  - d. Both supervisors shall sign and date the Incident Report Form.
  - e. The employee shall be provided with a copy of the Incident Report Form upon its proper completion.
3. Before a drug and alcohol test is administered, employees and job applicants will be asked to sign a consent form authorizing the clinic or laboratory to obtain a blood and/or urine specimen and to release the results of the testing to the Human Resources Services Division and to the appropriate department director. The consent form shall provide space for employees and applicants to indicate current or recent use of prescription or over-the-counter medication.
4. Unless there is an objective reason to believe that the employee has altered a sample or unless modified by agreement of the parties, individuals shall be allowed to provide the required specimen in the privacy of a stall or otherwise partitioned area.
5. A job applicant who refuses to consent to a drug and alcohol test will be denied employment with the City and will be removed from the appropriate eligible list.

6. An employee who refuses to consent to a drug and alcohol test when reasonable cause of drug or alcohol use in violation of this policy has been identified, is subject to disciplinary action up to and including termination. The reason for the refusal shall be considered in determining the appropriate disciplinary action.

### Drug Testing Procedures

1. All testing will be performed by a laboratory licensed by the California Department of Health Services, Laboratory Field Services.
2. Upon being ordered to undergo drug/alcohol testing, the employee shall be given the option of providing a urine or a blood specimen for analysis.
3. The collection site shall obtain two samples of blood or urine from the employee. One sample shall be forwarded to the designated laboratory for analysis and one sample shall remain at the collection site. Should the laboratory sample test positive, the second sample shall be forwarded from the collection site for analysis. Failure to verify a positive finding on both samples shall result in an unconfirmed test and the results shall be reported as negative.
4. The initial test of a urine specimen shall utilize an immunoassay technique.

The following chart shall be used when screening specimens to determine whether they are negative for the substances listed:

<b>SUBSTANCE</b>	<b>SCREENING LEVEL</b>	<b>CONFIRMATION</b>
Amphetamines	1000 ng/ml	
Amphetamine		500 ng/ml
Methamphetamine		500 ng/ml
Cocaine	300 ng/ml	150 ng/ml
Opiate Metabolites	2000 ng/ml	
Morphine		2000 ng/ml
Codeine		2000 ng/ml
6-Acetylmorphine		10 ng/ml
Phencyclidine	25 ng/ml	25 ng/ml
Marijuana	50 ng/ml	15 ng/ml
Ethyl Alcohol	0.02 gm/dl	0.02 gm/dl

5. All specimens identified as positive on the initial test shall be confirmed utilizing the gas chromatography/mass spectrometry (GC/MS) technique. All information shall be by quantitative analysis.
6. Blood samples will be quantitatively analyzed to determine the presence of the following substances:

<b>SUBSTANCE</b>	<b>TEST LEVEL</b>
Amphetamines	
Amphetamines	1000 ng/ml

Methamphetamines	300 ng/ml
Cocaine	300 ng/ml
Opiates	
Codeine	300 ng/ml
Morphine	2000 ng/ml
Phencyclidene	25 ng/ml
Marijuana	50 ng/ml
Ethyl Alcohol	.08%

**Note:**

- a. The above substances and test levels are subject to change as advances in technology or other conditions warrant identification of the substance at other concentrations.
  - b. The City shall provide notice to all bargaining units of any change, modification, deletion, or addition to the above list of substances.
7. If the testing procedures confirm a positive result, the employee or applicant shall be notified of the results in writing by the Director of Administrative Services.
  8. An employee or job applicant whose confirmation test results are positive shall be allowed to have a portion of the sample assayed by a confirmation test performed independently by a laboratory of the employee' s or applicant' s choice at the employee' s or applicant' s expense, provided that the laboratory chosen by the employee or applicant must be licensed by the California Department of Health Services, Laboratory Field Services.
  9. All specimens confirmed positive shall be retained and placed in properly secured long-term frozen storage for a minimum of one year, and be made available for retest as part of any administrative proceedings.
  10. All information from an employee' s or applicant' s drug and alcohol test is confidential for purposes other than determining whether the City policy has been violated. Disclosure of test results to any other person, agency, or organization is prohibited unless written authorization is obtained from the employee or applicant. The results of a positive drug test shall not be released until the results are confirmed. The record of unconfirmed positive test results shall be destroyed by the testing laboratory.

**Consequences for Violating the Rules and Provisions of This Policy**

1. Applicants: Job applicants will be denied employment with the City if their initial positive test results have been confirmed. Applicants shall be informed in writing if they are rejected on the basis of a confirmed positive drug test result.
2. Employees: If an employee' s positive test result has been confirmed, the employee is subject to disciplinary action up to and including termination. Among factors to be considered in determining the appropriate disciplinary response include the nature and requirements of the work, length of employment, current job performance, and the history of past disciplinary actions.

3. Employees reasonably believed to be under the influence of alcohol or drugs shall be prohibited from engaging in further work and shall not be allowed to operate or utilize any City equipment. Employees found in violation of a direct order used by a supervisor in implementing this policy are subject to disciplinary action up to and including termination.
4. If the results of the testing are negative, then the employee shall be made whole for all lost time, not including unscheduled overtime.

### **Employee Training**

The City of Fresno will establish a Drug Free Awareness program which will inform employees about: (1) the dangers of alcohol and drug abuse in the workplace; (2) the City's policy on drug and alcohol abuse; (3) the availability of treatment and counseling for employees who voluntarily seek such assistance; and (4) the sanctions the City will impose for violations of its Drug and Substance Use Policy.

### **Supervisory Training**

The City shall develop a program of training to assist supervisory personnel in identifying drug and alcohol use among employees. Such training shall assist supervisors in identifying factors that constitute reasonable cause for drug testing and shall include a detailed explanation of the City's Drug and Substance Use Policy.

### **Employee Assistance Program**

An employee who engages in drug/alcohol abuse is encouraged to participate in the Employee Assistance Program; however, such participation shall not relieve an employee of the obligation to follow the policy rules regarding drug/alcohol use. An Employee Assistance Program counselor shall not disclose information on drug/alcohol abuse received from an employee, except for the compilation of anonymous statistical reports.

**CONSEQUENCES FOR VIOLATING THE RULES  
AND PROVISIONS OF THIS POLICY**

1. If you are ordered to provide a urine or blood specimen for drug testing purposes, you may refuse. Such refusal shall constitute insubordination and shall subject you to disciplinary action up to and including termination from City employment.
2. If you take the drug test and have a confirmed positive test result, you are subject to disciplinary action up to and including termination.
3. If you have a confirmed positive test result, you may have the test repeated in an approved laboratory of your own selection using the original specimen. (These procedures are outlined in Administrative Order 2-6.)
4. If the results of your initial drug test, as ordered by the City, are negative, you shall be credited for all lost time.
5. If you are reasonably believed to be under the influence of alcohol or drugs, you shall not be allowed to continue working in any City capacity. Law enforcement authorities will be alerted should you drive a vehicle while impaired by alcohol or drugs.



### **MANAGEMENT GUIDELINE FOR DRUG/ALCOHOL ABUSE TESTING**

Managers and supervisors may request that an employee submit to a drug and/or alcohol analysis when there are factors constituting reasonable cause that indicates an employee is intoxicated or under the influence of drugs or alcohol.

Any of the following objective factors may constitute reasonable cause:

1. Incoherent or slurred speech, disorientation or inattention.
2. Odor of alcohol on breath.
3. Staggering gait, disorientation or balance problem.
4. Red, watery eyes with dilated or constricted pupils.
5. Dry mouth with frequent swallowing or lip wetting.
6. Hand tremors.
7. High energy, agitated, talkative, paranoid or bizarre behavior.
8. Drowsiness or detachment from physical and/or emotional pain.

Any manager or supervisor requiring an employee to submit to a drug and/or alcohol analysis should document, in writing, the facts constituting reasonable cause that the employee in question is intoxicated or under the influence of drugs.

INCIDENT REPORT FORM

Employee Involved: \_\_\_\_\_ Date of Incident: \_\_\_\_\_  
\_\_\_\_\_ Time of Incident: \_\_\_\_\_

Employee' s Job Position/Assignment: \_\_\_\_\_

Has employee been notified of his/her right to union representation? \_\_\_\_\_

Time: \_\_\_\_\_ Employee Initials: \_\_\_\_\_

Witnesses to Incident: \_\_\_\_\_

What Was Observed: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What is Employee' s Explanation: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Action Recommended: \_\_\_\_\_

Action Taken: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1. Signature: \_\_\_\_\_ 2. Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Title: \_\_\_\_\_

Date, Time, Action Taken: \_\_\_\_\_

<b>Subject:</b> Light-Duty Assignments for Individuals Temporarily Disabled Due to Work-Related Injuries	<b>Number:</b> 2-26
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> DAS—Human Resources	<b>Approved:</b>

## Purpose

To establish a uniform policy and procedure for the administration of a Citywide light duty/return-to-work program for employees who are temporarily disabled from performing the duties of their regularly assigned positions due to a work-related injury or illness. This program is intended to provide temporary reassignment of an injured employee only until such time as: (a) the employee is medically released to perform the full range of duties of his/her regular position; (b) the light-duty assignment is discontinued at the request of the attending physician; (c) the employee is medically determined to be permanently disabled and consideration is given to job modification, transfer, termination, or retirement; or (d) the light-duty assignment is discontinued at the option of the providing department/division.

NOTE: This policy is not applicable to employees who are temporarily disabled as a result of non work-related accidents. It is the practice of the City to require these individuals to use sick leave or other approved leave unless Chief Administrative Officer approval is obtained to return the employee to a meaningful job assignment.

## Policy

When feasible it is the objective of the City to locate and assign light duty to employees who are temporarily disabled from performing their regular jobs as a result of a work-related injury. All such light-duty work assignments shall be made consistent with the limitations and restrictions described by a physician. The following policy shall apply:

1. Physicians shall be encouraged, within acceptable medical standards, to release temporarily disabled employees to light-duty work status and describe the employee's limitations in sufficient detail to enable the City to determine suitable work or a task assignment using the Medical Status Report Form (see attached).
2. The employee's regular work division shall attempt to locate or design a work assignment within the limitations described by the physician.
3. If the employee's usual work division is unable to assign suitable light work, other divisions within the same department may be contacted in order to determine if a suitable light work assignment exists.
4. If no suitable light-duty assignment is available within the employee's department, the Human Resources Services Division shall be notified. The Human Resources Services Division will

attempt, when feasible, to coordinate and effect a temporary reassignment of the employee on an interdepartmental basis. The department to which the employee is regularly assigned shall continue to provide the employee's regular salary from the budgeted salary account when a light-duty assignment is made.

5. An employee on light duty shall be returned to full-duty status upon receipt of a medical report that removes the employee's restrictions.

## Procedure

<u>Responsibility</u>	<u>Action</u>
1. Department/Division	1. Provide injured employee with Medical Status Report Form for treating doctor to complete. Emphasize to employee that the form is to be completed and returned after the appointment is completed.
2. Employee	2. Return completed form to supervisor.
3. Department/Division	3. Assign employee a light-duty job that meets medical criteria.
	4. Notify Human Resources if no light-duty position exists within division/department.
4. Human Resources	5. Assign employee to available position in a different department consistent with medical limitations.
	6. Notify employee of area of reassignment, hours of work, and any other pertinent details, such as location, parking, special assignment, etc.
	7. Notify employee's supervisor of temporary reassignment action.
	8. Follow-up with employee's physician regarding medical status.
5. Department Providing Light Duty	9. Notify the employee's regular department of actual hours worked.
6. Human Resources	10. Notify employee's regular department and, if applicable, the department providing light duty, when the employee is medically released to full, unrestricted duty.

**IMPORTANT! PLEASE READ CAREFULLY**

**MEMORANDUM**

DATE:

TO: INJURED EMPLOYEE

FROM: DEPARTMENT/DIVISION

SUBJECT: MEDICAL STATUS REPORT FORM

The attached Medical Status Report Form must be completed by the doctor who provided treatment for your injury.

**Immediately return the completed Medical Status Report Form to your supervisor or department representative at the conclusion of your appointment. Failure to return the attached form to your supervisor in a timely manner may be cause for disciplinary action.**

If you have any questions, you should contact your supervisor or the Workers' Compensation Section of the Department of Administrative Services at 498-1417.

Attachment

## MEDICAL STATUS REPORT FORM

Dear Doctor:

Please complete this form upon the conclusion of your examination and instruct the employee to immediately return it to his/her supervisor.

PATIENT'S NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

DIAGNOSIS: \_\_\_\_\_ PROGNOSIS: Good Fair Poor

If employee's disability is temporary, please make a check mark in each of the appropriate categories which apply to the patient's current medical capacity. You may add additional remarks in the space provided below.

	0	1	2	FULL RELEASE 3
EXERTION	No significant energy expenditure	Slow rate of body motions (i.e., small work loads at slow rates of speed with frequent rest periods.)	Moderate rate of body motions such as walking or climbing a ladder	Relatively fast rates of body motion such as running
WALKING	No Walking	Walking up to 10 min/hr. or 15% of workday, may stand or sit interchangeably for comfort	Walking up to 30 min/hr. or 50% of workday	No restriction
STANDING	No standing	Standing up to 10 min/hr. or 15% of workday (e.g., admin clerk)	Standing up to 30 min/hr. or 50% of workday	No restriction
SQUATTING	No squatting	Squatting momentarily up to 5 times/hr.	Squatting 1 min. or less, up to 10 times/hr.	Squatting for more than 1 min per squat, and more than 10 times/hr
BENDING	No bending	Bending up to 5 times per hour	Bending up to 20 times per hour	Bending more than 20 times per hour
SITTING	No Sitting	Sitting up to 10 min/hr. or 15% of workday	Sitting up to 30 min/hr. or 50% of workday	No restriction
TURNING/TWISTING	May not perform movement	May occasionally perform movement to tolerance	May frequently perform movement	No restriction
CLIMBING	May not perform movement	May occasionally perform movement to tolerance	May frequently perform movement	No restriction
PUSH/PULLING	May not perform movement	May occasionally perform movement to tolerance	May frequently perform movement	No restriction
LIFTING	Up to 10 pounds	11-25 pounds	26-40 pounds	Over 40 pounds

COMMENTS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

DATE ABLE TO RETURN TO FULL OR MODIFIED (circle one) DUTY: \_\_\_\_\_

If employee's condition permanently precludes return to work in former job, please outline restrictions: \_\_\_\_\_  
 \_\_\_\_\_

DATE OF NEXT APPOINTMENT: \_\_\_\_\_ PHYSICIAN'S SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

<b>Subject:</b> Preventing Workplace Violence	<b>Number:</b> 2-27
	<b>Date Issued/Revised:</b> July 9, 1999
<b>Responsible Department:</b> DAS–Risk Management	<b>Approved:</b>

## Policy

The City of Fresno committed to providing a safe work environment that is free of violence and the threat of violence. The City's first priority is to ensure the effective handling of critical workplace incidents involving actual or potential violence. Violence, or the threat of violence, involving any employee of the City of Fresno or any other person in the workplace is unacceptable.

## Definitions and Procedures

1. Should an employee, during working hours, demonstrate or threaten violent behavior, he or she may be subject to disciplinary action up to and including termination and possible criminal prosecution.
2. The following actions are considered examples of violent acts:
  - a. Striking, punching, slapping or physically contacting another person in a hostile manner.
  - b. Fighting or challenging another person to fight.
  - c. Grabbing, pinching, or touching another person in an unwelcomed manner.
  - d. Physically or verbally threatening harm to another person, or any action or conduct that implies the threat of bodily harm.
  - e. Exhibiting dangerous, threatening or unwanted behavior.
  - f. Possession, use, or threat of use, of any weapon or object that could be used as a weapon on City property, unless such possession or use is a requirement of the job.
  - g. Stalking another person (as defined in either California Civil Code Section 1708.7 or California Penal Code Section 646.9).
3. Any employee who is the victim of any violent, threatening, or harassing conduct, or is a witness to such conduct, whether the perpetrator is a City of Fresno employee or a non-employee, shall immediately:
  - a. Retreat and reasonably assist others in moving to a safe location.

- b. Notify the Police Department or security personnel if there is imminent danger.
  - c. Report the incident to their supervisor or manager after the immediate danger or risk of harm has passed. If the supervisor or manager cannot be contacted, Risk Management or Human Resources should be notified.
- 4. City employees who are not required nor specifically trained and equipped shall not attempt to confront a potentially violent person.
  - 5. No one, acting in good faith, who initiates a complaint or reports an incident under this policy will be subject to retaliation or harassment.
  - 6. Any employee who makes a report under this policy, which the employee knows or should know is false, shall be subject to disciplinary action.
  - 7. Any report of violent behavior by a City employee will be thoroughly investigated. Any disciplinary action will be in accordance with Administrative Order 2-14 and applicable sections of the Municipal Code.
  - 8. In those incidents where there is a possible violation of the law, the incident will be reported to the Police Department for criminal investigation.



<b>Subject:</b> Part-time, Hourly and Temporary Employees	<b>Number:</b> 2-28
	<b>Date Issued/Revised:</b> September 1, 2000
<b>Responsible Department:</b> DAS—Human Resources	<b>Approved:</b>

## Purpose

To provide hiring guidelines and procedures for the acquisition of either part-time, hourly or temporary employees and to establish a clear and consistent policy with regard to the utilization of either part-time, hourly or temporary employees by the various departments and divisions of the City of Fresno.

## Policy

1. **Part-time, Hourly Employees:** Part-time, hourly employees are unclassified employees, as defined in Article X, Section 1000 (a) (4) of the Charter.
  - a. Part-time, hourly employees are paid on an hourly or per diem basis, work, part-time schedules only, in positions not allocated as either permanent, permanent part-time, or permanent intermittent in the Position Authorization Resolution.
  - b. Part-time, hourly employees may work varying hours or shifts which may depend upon the availability of the employee. Positions filled in this fashion often have high turnover rates due to the transitory nature of most incumbents.
  - c. The maximum time that a part-time, hourly employee may work is 32 hours per week.
2. **Temporary Employees:** Employees filling temporary positions are also in the Unclassified Service, as defined in Article X, Section 1000 (a) (2) of the Charter.
  - a. Employees in temporary positions may be paid on an hourly or per diem basis or on a salary basis, in positions not allocated as either permanent, permanent part-time, or permanent intermittent in the Position Authorization Resolution.
  - b. A temporary position is appropriate for a project with a defined start and finish date or during the completion of an examination process to fill a permanently allocated position. The position shall cease to exist at the completion of the project, following a selection from an appropriate eligible list, or upon the completion of the maximum number of hours worked, as defined in the Charter, whichever comes first.
  - c. When hiring either a part-time, hourly employee or when filling a temporary position, the new-hire must comply with all City employment processes.

## Procedures

### 1. Part-time, Hourly or Temporary Employees

- a. The appointing authority must verify that the position to be filled complies with the intent of either Section 1000 (a) (2) or Section 1000 (a) (4) of Article X of the Charter.
- b. Departmental requests for part-time, hourly or temporary employment must be submitted and approved prior to the employee beginning work.
- c. Applications for part-time, hourly or temporary employment, EAFs, and DOJ clearance must be completed, received, and approved **before the employee begins work.**

<b>Subject:</b> Citywide Purchasing Policy	<b>Number:</b> 3-1
	<b>Date Issued/Revised:</b> June 1, 2002
<b>Responsible Department:</b> GSD-Purchasing	<b>Approved:</b>

## Purpose

To establish a Citywide purchasing policy and provide an overview over procurement options.

## Policy

The City of Fresno has a centralized purchasing function. The Purchasing Division is responsible for the purchase of equipment, materials and supplies, the bidding of public works projects, and for technical and non-professional services, such as custodial, processing, security, temporary personnel and other services. Consultant and professional (i.e., “brain”) services (such as engineering, design, legal, auditing, advertising, underwriting, medical, planning, training, customer service surveys and similar) are decentralized in the City of Fresno and are the responsibility of individual departments (see Administrative Order 6-19, Contracts for Service). However, the Purchasing Division is available for professional services as a mailbox to receive proposals, or as a resource, if requested by City clients.

Clients are encouraged to contact Purchasing for any special needs and priorities, such as grants, to allow Purchasing to plan for special assistance, if required, and to meet client needs. To maintain communication with its clients, Purchasing conducts liaison meetings with client divisions twice a year.

All business conducted by the Purchasing Division, except for services, is based on the principle of competitive bidding in accordance with Charter Section 1208, with award to the lowest responsive and responsible bidder. Competitive bidding assures the best pricing for the City, provides equal access to suppliers/contractors for City business and ensures accountability of public funds.

City clients determine their operational needs, and the Purchasing Division identifies the most effective and expeditious procurement to meet these needs. The Purchasing Division maintains an updated Procurement Handbook to assist their clients’ understanding of procurement procedures.

## Procedures

Procurements fall into two distinct categories: procurement over the formal bid limit; and procurement under the formal bid limit. All procurement shall be initiated either by a requisition, or the submittal to Purchasing of bid specifications with funding information.

## **1. Procurement Over the Formal Bid Limit**

- a. Formal Bids. The formal bid limit is determined by Charter Section 1208 (see Attachment). It is adjusted by the Consumer Price Index (CPI) each July 1 and communicated to departments by the Purchasing Manager. All purchases of equipment, supplies and public works construction over the formal bid threshold require formal, advertised bidding with award by the City Council.
- b. Sole Sources. Materials, supplies and equipment that can be obtained from only one supplier may be purchased through the sole-source process. Sole-source purchases are subject to the approval of the Purchasing Manager or his/her designee, and sole sources over the formal bid limit require Council approval of a sole-source resolution.
- c. Cooperative Purchases and Piggybacks. Under Charter Section 1208, the Purchasing Manager may purchase equipment and products through Cooperative Purchasing Agreements with other public agencies by being a primary party in a joint formal bid, or by purchasing from a supplier who has been awarded a contract by other governmental agencies under the same terms and at the same pricing ("piggyback"), including General Services Administration (GSA) and California Multiple Award Schedule (CMAS) contracts. All piggybacks must be authorized by the Purchasing Manager or his/her designee.

## **2. Procurement Under the Formal Bid Limit**

Procurement under the formal bid limit may occur in various forms: obtaining quotes; using a sealed, but informal bid process; providing "open" purchase orders (particularly for maintenance and repair items, and low cost items that are difficult to bid); or through other processes. The Purchasing Division will choose the process best suited to a timely procurement.

One-time purchases under a certain limit (see Attachment) are decentralized and may be made directly by clients under the Request for Payment process, or by obtaining a purchase order number from Purchasing. Purchases under the decentralized limit for software, computers, City Hall furniture, remodeling, welding, vehicular equipment and printing shall be authorized through the respective Internal Service Funds. The decentralized limit is not intended for repetitive purchases, which shall either be acquired through a requirements contract or Purchasing will provide an "open" purchase order.

It is the policy of the City to close out all "open" purchase orders (for maintenance, repair and low-cost items) at the end of each fiscal year with a two-week grace period for payment. Purchase Orders for purchases of equipment, and for contracts for supplies, materials and services may roll over from one fiscal year to another and shall be closed out by the client when the equipment has been delivered or at the end of the contract period.

### **3. Services**

#### **a. Consulting/Professional Services (decentralized)**

The Purchasing Division is not responsible for consultant and professional (i.e., “brain”) services, which are decentralized in the City of Fresno (see Administrative Order 6-19, Contracts for Service). Consultant agreements over \$50,000 are subject to Council approval and shall be encumbered by means of a Purchase Order.

#### **b. Technical and Non-professional Services (Purchasing)**

The Purchasing Division is responsible for technical and non-professional services, such as custodial, processing, security, temporary personnel and other services. Services that require a contractor’s license, such as well cleaning, are considered public works projects. Requests for Proposals (RFPs) rather than bids are used for contracting for services. Requests for Proposals are awarded, not on price alone, but on a combination of evaluation factors which include price. In accordance with Municipal Code Section 3-109(b), award of contracts for services over \$50,000 is made by the City Council; award under \$50,000 is delegated to the City Manager or his/her designee (see Attachment). The City Manager has designated the Purchasing Manager for award of contracts/Requests for Proposals for technical and non-professional services under \$50,000.

### **4. Other**

#### **a. Emergency Purchases.**

(1) Repairs. For emergency purchases, such as a repair part for a “down” piece of equipment, material needed for repair of items providing vital services, unforeseen items not known prior to commencement of a project, or health and safety items, contact the Purchasing Division for a purchase order number. For emergencies at night or on weekends, complete the transaction and obtain a number on the next working day.

(2) Equipment and Construction. The emergency purchase of equipment or emergency construction over the formal bid limit is subject to the Council’s approval of an Emergency Resolution to suspend competitive bidding in accordance with Section 1208(a) of the Charter. The Emergency Resolution is submitted to the Council by the client; Purchasing is available as a resource.

#### **b. Emergency Purchases in Case of Catastrophic Incidents or Disasters. These purchases are described in a separate policy and procedure.**

#### **c. Prequalifications. Prequalifications are used in a two-step process to qualify products and suppliers for procurement of complex technical equipment. The prequalification consists of a Request for Proposals without pricing, followed by a formal bid with pricing.**

- d. Requirements Contracts. Whenever effective, Requirements Contracts are recommended for any repetitive purchases, including inventory and services. Requirements Contracts establish firm pricing for products or services with suppliers for a fixed time period and allow City clients to place orders directly with the supplier, or receive services, without further involvement of the Purchasing Division. Requirements contracts will normally be established for one-year periods with two one-year extensions. Terms of the contract will provide price adjustment methodology for the second and third years.
- e. Appeals. Appeals for procurement over the formal bid limit will follow the current Appeals Resolution. Appeals for procurement under the formal bid limit will be dealt with by the Purchasing Manager.

## 5. Contract Administration

Contracts are administered by client divisions. Purchasing is the contract administrator for Citywide contracts, such as uniforms and stationery. Should City clients experience problems with any supplier/contractor to whom Purchasing recommended award, please alert the Purchasing Division. The City is committed to use only suppliers/contractors who perform satisfactorily and in accordance with specifications.

## 6. Local Preference

The Fresno Municipal Code (FMC) establishes a local preference for bidders whose main or branch office is located within a 25-mile radius from City Hall. The local preference is applied when the low bidder is non-local and the second bidder is local. **Local preference cannot be applied to federally funded purchases and projects.** The local preference varies with the type of procurement.

Products: (materials, supplies, equipment):

Five percent up to \$250,000 [FMC, Section 3-105(h)(1)]

Public Works projects:

One-half of one percent, not to exceed \$1,000 [FMC, Section 3-105(h)(2)]

Services:

Five percent, no cap [FMC, Section 3-109.1(b)(4)]

## 7. Surplus

In accordance with the Fresno Municipal Code, Section 3-202, the Purchasing Manager is responsible for the disposal of surplus.

**Detailed purchasing procedures are contained in a separate handbook.**

**ATTACHMENT**  
**to Citywide Purchasing Policy**  
**Thresholds as of July 1, 2001**

Decentralized purchases (departments/divisions may make purchases themselves)

\$1,000 Non-repetitive purchases with Request for Payment.  
\$2,000 Non-repetitive purchases with use of Emergency Purchase Order No.

Informal bids (Materials, supplies, equipment and public works projects)

Up to \$32,000 Award by Purchasing.

Formal bids (Materials, supplies, equipment and public works projects)

Over \$32,000 Award by Council

Services (Consultant/professional services)

Up to \$50,000 Department Director approval  
Over \$50,000 Council approval

Services (Technical/non-professional services)

Up to \$50,000 Purchasing approval  
Over \$50,000 Council approval

<b>Subject:</b> Emergency Purchases	<b>Number:</b> 3-2
<b>Responsible Department:</b> GSD—Purchasing	<b>Date Issued/Revised:</b> June 1, 2002
	<b>Approved:</b>

## Purpose

To establish a uniform procedure and policy in regard to emergency purchases.

## Policy

### Definition

An emergency purchase is defined as a repair part for a “down” piece of equipment; material needed for repair of items providing vital services; unforeseen items not known prior to commencement of project; situations where a return visit to repair equipment or complete a project would not be cost-effective. The Purchasing Manager will approve such a purchase.

## Procedures

1. Before making an emergency purchase, the authorized employee must call the Purchasing Division (except for nighttime emergencies) and obtain a purchase order number. (Be prepared to give reason for emergency request, vendor, and dollar estimate of expenditure.) A Purchase Order/Requisition together with a sales slip or some other evidence of the transaction shall be submitted to the Purchasing Division within 24-hours after the purchase is made.
2. For nighttime emergencies, which require the immediate acquisition of materials, services or supplies, complete the transaction accordingly. Then call the Purchasing Division the next working day and secure a Purchase Order number following above procedure.



<b>Subject:</b> <b>Sole-Source Purchases Over the Formal Bid Limit</b>	<b>Number: 3-3</b>
	<b>Date Issued/Revised: June 1, 2002</b>
<b>Responsible Department:</b> <b>GSD—Purchasing</b>	<b>Approved:</b>

## Policy

In the event that there is one, and only one, source for a product in excess of the formal bid limit, a sole-source contract may be used.

## Procedure

When a department wishes to purchase a product over the formal bid limit from a "sole source" without competitive bidding, a sole-source resolution is to be prepared and submitted with a Council agenda item. In order to establish a legal basis for a sole-source exception, the following statements and findings must be made and set forth in every sole-source resolution:

1. A statement describing every unique or specialized feature of the product in question.
2. A statement of why the department requires that the product in question has such unique or specialized features (i.e., a statement of why a product without such features would not meet the department's needs).
3. A description of the department's efforts to locate all possible suppliers of such product.
4. A statement that, in spite of its efforts, the department has been able to locate only one supplier of the product in question.
5. A statement that indicates the ultimate cost of the product and the process used to determine the cost of the product.
6. A finding that it is, therefore, proper for the City to dispense with the competitive bidding requirement in this instance and to authorize the Purchasing Manager to purchase the product in question under the sole-source exception.

A copy of the draft agenda item, sole-source resolution and matrix showing comparisons of features between manufacturers/suppliers (see attached sample) shall be submitted to the Purchasing Manager for review and processing prior to placement on the Council agenda. The Purchasing Manager will obtain a quote from the vendor and forward the documentation, with a recommendation, to the City Attorney's Office for review and recommendation.

An example of a sole-source resolution may be obtained from the Purchasing Division.

## City of Fresno Comparison Chart

Sample

**Division/Department:** Fire Department

**Equipment:** Self-Contained Breathing Apparatus (SCBA' s)

Features	Manufacturer A Availability	Manufacturer B Availability	Manufacturer C Availability	Manufacturer D Availability
1. Low Air Whistle Warning Device with various frequencies	No	Yes	No	No
2. Second-stage Regulator,				
a. Detachable from face mask in any position.	Yes	Yes	No	No
b. Detachable with gloves on.	No	Yes	No	No
Total Cost:	\$xxxxx	\$xxxxx	\$xxxxx	\$xxxxx
<b>Explanation of Features</b>				

1. Manufacturer B offers a low air whistle warning device which has a warbling sound feature that enables the wearer to hear the warning device at various frequencies. This is an important safety feature to the wearer because some firefighters have hearing loss to certain frequencies. Manufacturers A, C, and D only offer a low air whistle warning device with one frequency. With a single frequency warning device, a firefighter may not hear the warning sound due to a particular frequency used. This could result in serious consequences to the firefighter.

2. Manufacturer B offers a Second Stage Regulator that is detachable from the face mask in any position. This is an important safety feature because it allows the wearer to connect or disconnect the regulator from the face mask without requiring it to be lined up with notches or slots. Furthermore, this Regulator can be connected or disconnected while wearing safety gloves. Manufacturers C and D require the regulator to be lined up with notches or slots in order to connect or disconnect the regulator. This creates a safety concern because it is more timely and difficult to connect or disconnect the regulator under emergency conditions, and is especially a concern when operating in low light or smokey conditions. Furthermore, the regulator offered by Manufacturers C and D cannot be removed while wearing gloves. Manufacturer A offers a regulator that is detachable from the face mask without lining it up with notches or slots, but the release button is so small that it requires the removal of gloves to disconnect. It is a safety concern of the Fire Department if the wearer must remove his/her gloves in order to disconnect the regulator.

<b>Subject:</b> Property Sales to Employees	<b>Number:</b> 3-5 <b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> DAS—Purchasing	<b>Approved:</b>

## Purpose

To establish an overall policy regarding the sale of real or personal property to City employees.

## Procedures

1. It will be the policy of the City to allow City employees to participate in the purchase of City property, real or personal, when:
  - a. Offered for sale through the process of a sealed bid.
  - b. Offered for sale through an auctioneer, where the auction is to be appropriately announced as being open to the general public.
2. No City officer or employee shall purchase the property when the officer or employee participated in the decision that the City property involved was surplus or could be sold.
3. When an employee submits a sealed bid or takes title to surplus property, the employee shall sign a disclaimer (see attached form) stating he/she is not excluded by Subsection 2 of this Administrative Order from buying property.
4. These prohibitions shall be construed to prohibit the employee from purchasing or coming into ownership of said property, either directly or through intermediaries.
5. Any violation of this policy may result in disciplinary action.

## **DISCLAIMER**

I hereby state that I am not excluded by Subsection 2 of Administrative Order 3-5 from purchasing surplus property of the City of Fresno.

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Signature

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Date

<b>Subject:</b> Uniform Program	<b>Number:</b> 3-6
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> DAS—Purchasing	<b>Approved:</b>

## Purpose

1. To affix overall responsibility for the operation of the program.
2. To establish an overall policy regarding new divisions or agencies entering into the uniform program.
3. To set forth general procedural guidelines for the operation of the program.

## Responsibility

1. The overall responsibility for the operation of the uniform program will rest with the Department of Administrative Services. This department will be expected to ensure the implementation of the procedures set forth in this directive.
2. The responsibility for solving minor uniform problems will rest with the designated employee in each division who serves as a liaison between the uniformed employees and the laundry driver.

## Procedures

1. It will be the City's policy to require a favorable majority vote by the applicable employees before instituting a new uniform program in any division. However, it will be assured that all new employees will be automatically included in the program once it has been established.
2. After it has been determined that a division will institute a uniform program, employees will select a specific uniform plan that will provide them with the uniforms best suited to the work they do. The following seven plans are available for selection:

Plan A: Weekly supply of two sets of coveralls.

Plan B: Weekly supply of two sets of pants and white cotton shirts.

Plan C: Weekly supply of two sets of shirts and pants.

Plan D: Weekly supply of two pants and four shirts.

Plan E: Weekly supply of two dacron pants and four shirts.

Plan F: Weekly supply of four shirts and four pants.

Plan G: Weekly supply of five white shirts and two dacron pants.

3. The total cost of the program will be shared on a 50-50 basis between the City and the employee, and the appropriate employee cost will be deducted from the employee's paycheck.
4. Payroll deductions will be stopped only if an employee is absent from work for a complete pay period because of sickness, injury or leave without pay.
5. Notations of employees added to or deleted from the uniform program shall be made on the uniform report that accompanies each prelist.
6. Although the responsibility for the uniform program is now centralized, it is suggested that each division designate one employee as a liaison between the laundry and the employees for the purpose of resolving minor uniform problems. Some of these minor problems would be lost or damaged garments, starch problems, delays in service, incorrect sizes, etc. Complaints to the laundry shall be submitted to the laundry driver in writing in the appropriate section of Form No. 1, attached to this directive, and a copy will be forwarded to Human Resources for analysis.
7. When problems do arise that cannot be resolved between the division and the laundry, the Department of Administrative Services should be contacted for assistance in resolving the difficulty.
8. changes in uniform plans will be permitted only if an employee changes departments or jobs in which the uniform of the new department or job is a different color, type or number. These changes will be requested in writing in the appropriate section of Form No. 1. Once a year, on the first working day in January during the live of the contract, all employees will have an opportunity to increase their uniform plans if there is good reason to do so.
9. Short-sleeve shirts will be issued to those employees requesting this service, in writing, on Form No. 1. This service is not mandatory, but it is understood that the service is based upon two exchanges annually. The season for short-sleeve shirts is May 1 to November 1, except for those employees who request short-sleeve shirts year-round. Once year, on the first working day in January during the life of the contract, all employees will be required to indicate whether or not they desire short-sleeve shirts.
10. It is understood that City uniforms are to be worn only while going to and coming from work, and while actually at work for the City of Fresno. Under no circumstances will City employees wear uniforms while working outside of the City government.
11. Dirty uniforms will be turned in at the various designated pick-up stations each week. Employees not meeting this schedule will have shortages in their uniform supply.

12. Medium starch will be used in all uniforms, unless an employee can provide a doctor's certificate that shows he/she is allergic to starch. In this case, the uniforms will be laundered without starch.
13. Temporary and provisional employees may be issued used uniforms for the duration of their jobs, if such uniforms are available at the laundry. If a temporary employee becomes permanent, new uniforms shall be issued.
14. In those divisions that have selected a uniform plan, it is mandatory that all employees covered by the plan wear the prescribed uniform. The only exception is that a physician may exempt an employee because of allergies to starch, material, etc.

<b>Subject:</b> City Letterhead, Stationery, Business Cards for City Employees	<b>Number:</b> 3-7
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> DAS—Purchasing	<b>Approved:</b>

## Purpose

To establish a standardized format for stationery and business cards.

## Policy

### Letterhead

Letterhead stationery shall conform to a standardized format unless exceptions to the standard style is permitted by the City Manager's Office. City of Fresno letterhead stationery is used for correspondence sent to outside agencies, businesses and citizens.

### Memorandum Stationery

City of Fresno memorandum stationery is plain paper with the blue City of Fresno logo in the upper left-hand corner and is used for internal correspondence.

### Business Cards

An employee who has frequent contact with the public may be provided with personalized business cards upon approval by his/her department director. Three format styles of business cards are authorized for use by City staff. The styles are:

A.

B.



C.

Business cards should follow the standard format listing the individual's name, position title, department, division, street address, city, state and 9-digit zip code, followed by the phone number and fax number.

Exceptions to the above styles are permitted only upon approval of the City Manager's Office and are generally restricted to enterprise accounts, e.g., FAX, Fresno Air Terminal, Zoo.

Members of the City Council and the E-range managers may have the Fresno logo embossed with blue foil. This option is available in either of the above styles.

Business cards are generally printed in quantities of 500.

## **Procedures**

Printing requests for business cards should use the standard Printing Requisition and specify one of the above two styles.

<b>Subject:</b> Processing of Contracts to Which the City is Party	<b>Number:</b> 4-1
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> City Attorney	<b>Approved:</b>

## Purpose

To establish a policy and procedure for processing contracts to which the City is a party.

## Policy

The policy for processing contracts to which the City is a party is that, generally, the Council must approve all contracts, and immediately following authorization by the Council, the lead Department responsible for the contract shall ensure that the contract is fully executed and that all other City policies regarding contracts are followed.

## Procedures

1. "Contract" as used in this policy includes contracts, bid awards, leases, covenants, agreements, applications for grants, final executed grants, and every form of agreement entered into by the City with any public or private person or entity.
2. "Fully executed" within the meaning of this section means dated and signed by both parties, approved as to form by the City Attorney or compliance with Administrative Order 4-4, and attested by the City Clerk. Proper signatures (which include precise names of corporations and partnerships, and in some cases proof of authority of signers) and data are vital to the effectiveness of a contract and therefore required. (See Attachment "A," Instructions for Signature Page, and Attachment "B," Sample Signature Page.)
3. Prior to placement of a contract on the Council agenda, or before presenting to the person with authority to approve and sign the contract on behalf of the City, the following steps shall first be completed:
  - a. Ensure compliance with any applicable law or statute and any related contract to which the City is a party (i.e., Charter Section 1208, CEQA, CAL-OSHA etc.; grant agreements).
  - b. Ensure that all requirements regarding Administrative Order 2-1 are met.
  - c. Except as provided in Administrative Order 4-4:
    - (1) All contract language and format must be reviewed by the City Attorney before execution by either party. As a general rule, such review should occur before any city drafted contract is presented to the other party for review and consideration.

- (2) All contracts, except those with other public entities, shall be properly executed by the other party and any required insurance certificates approved in accordance with A.O. 2-1 prior to the stamped and initialed "approved as to form" by the City Attorney.
  - (3) As a general rule, all contracts should be executed by the other party and "approved as to form" by the City Attorney prior to placement on the Council agenda.
  - e. All contracts of major significance and/or a controversial nature shall be discussed with the Chief Administrative Officer prior to final preparation and execution by either party.
  - f. The City Attorney and/or the Chief Administrative Officer will approve any determination made as to who shall sign the contract for the City and whether or not the contract document itself shall be presented to Council for approval.
- 4. Contracts to be presented to Council shall follow the standard procedure for all Council items.
  - 5. Upon approval by Council, the remaining steps for a fully executed contract shall be completed. It is suggested that the individual authorized to sign the contract go to the Clerk's Office several days after approval by Council to sign, except in the event that the Chief Administrative Officer is authorized to execute the contract, in which event the City Clerk's Office will procure that signature. If this does not occur, the Clerk's Office will send the contract to the "Contact person for Contracts . . ." indicated on the Agenda Item Transmittal sheet. The contract should then be signed and all original signed copies shall be routed to the Clerk's Office to be attested. The contract is not fully executed until attested by the Clerk's Office. The signed original shall be placed on file in the City Clerk's Office.
  - 6. Following the attesting of contracts, the Clerk will retain one original signed copy for the official City records, and distribute all other original signed copies to the individual named in the "Contact Person for Contracts . . . ."
  - 7. It is the department's responsibility to distribute original signed contracts and copies of the contracts to the appropriate parties. This includes providing a copy of the contract to every City department involved in contract fulfillment.
  - 8. Following the approval and execution of a contract, the responsible department shall observe the requirements as applicable to the City's encumbrance policy and procedure governing contracts.
  - 9. In the event the Council approves a contract in concept and authorizes its execution in advance of the preparation of the contract, and/or if the finalized contract is not presented to Council, the executed contract (with the appropriate number of copies) shall be sent to the Clerk's Office to be attested. Following this, steps 6, 7, and 8 above shall be followed.
  - 10. Upon completion of contract the initiating Department shall be responsible for contacting the City Clerk by written notice of acceptance, completion or acquisition of materials (by purchase order sign-off date).

## **INSTRUCTIONS FOR SIGNATURE PAGE**

**CORPORATIONS: SIGNATURE AUTHORIZATION REQUIREMENT (See 5 (a) below.), INCLUDE ACKNOWLEDGMENT OF SIGNATURE BY NOTARY IN CORPORATE FORM IN APPROPRIATE INSTANCES.**

**INDIVIDUALS: SIGNATURE AUTHORIZATION REQUIREMENT (See 5 (b) below.), INCLUDE ACKNOWLEDGMENT OF SIGNATURE BY NOTARY IN APPROPRIATE INSTANCES.**

**PARTNERSHIPS OR JOINT VENTURES: SIGNATURE AUTHORIZATION REQUIREMENT (See 5 (c) and (d), respectively, below). INCLUDE ACKNOWLEDGMENT OF SIGNATURE BY NOTARY IN APPROPRIATE INSTANCES.**

1. The name of the parties must be the same as that on the first page of your Agreement. If the party is a corporation, enter the exact name of the corporation under which it is incorporated; if party is an individual, enter name; if party is an individual operating under a trade name, enter name and dba (trade name in full); if a partnership, enter the correct trade style of the partnership; if a joint venture, enter exact names of entities joining in the venture.
2. Identify the character of the name shown under (1), i.e., corporation (including state of incorporation), individual, partnership, or joint venture.
3. Enter the respective addresses to which all communications and notices regarding the Agreement are to be addressed.
4. Insert the signature lines for the City Clerk to attest the City's execution and the City Attorney to approve the document as to form.
5. Insert sufficient number of signature lines to accommodate the parties (if a corporation, allow lines for 2 signatures). Each signature line should also include a line to print the name of the person signing and a line for the person's title.
  - (a) If the party is a corporation, the Agreement must be signed by the President or Vice President and by the Secretary or Assistant Secretary; or by an officer or employee authorized to sign contracts on behalf of the corporation evidenced by inclusion of one of the following: a copy of the Articles of Incorporation, a copy of the Bylaws, a certified copy of the Board Resolution or Minutes authorizing the officer or employee to sign contracts. Any certification shall be by the corporation's secretary. All signatures must be notarized in the corporate form in appropriate instances (e.g., contracts to be recorded).
  - (b) If the party is an individual, he/she must sign the Agreement; or if the Agreement is signed by an employee or agent on behalf of the party, a copy of a power of attorney must be provided. Any signature must be acknowledged by a notary in appropriate instances (e.g., contracts to be recorded).

- (c) If the party is a partnership, the Agreement must be signed by all general partners; or by a general partner(s) authorized to sign contracts on behalf of the partnership evidenced by inclusion of either a copy of the Partnership Agreement or a recorded Statement of Partnership. All signatures must be acknowledged by a notary in appropriate instances (e.g., contracts to be recorded).
- (d) If the party is a joint venture, the Agreement must be signed by all joint venturers; or by a joint venturer(s) authorized to sign contracts on behalf of the joint venture evidenced by inclusion of either a copy of the Joint Venture Agreement or a recorded Statement of Joint Venture; and if the joint venturer(s) is a corporation or partnership signing on behalf of the Joint Venture, then Paragraphs (a) and (c) above apply respectively. All signatures must be acknowledged by a notary in appropriate instances (e.g., contracts to be recorded).

SAMPLE SIGNATURE PAGE

IN WITNESS WHEREOF, the parties have executed this Agreement at Fresno, California,  
the day and year first above written.

CITY OF FRESNO  
a Municipal Corporation

XXX, INC.  
a California Corporation

By: \_\_\_\_\_  
JEFFREY M. REID  
Chief Administrative Officer

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

ATTEST:  
REBECCA E. KLISCH  
City Clerk

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By: \_\_\_\_\_  
Deputy

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

APPROVED AS TO FORM:  
HILDA CANTÚ MONTOY  
City Attorney

(Attach certificate of acknowledgment)

By: \_\_\_\_\_  
Deputy

Addresses:

CITY:  
City of Fresno  
Department of  
2600 Fresno Street  
Fresno, CA 93721-1824

CONTRACTOR:  
Xxx, Inc.  
Street  
City, CA Zip code

<b>Subject:</b> Request for Enforcement Action	<b>Number:</b> 4-2
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> City Attorney	<b>Approved:</b>

## Purpose

To establish a uniform procedure for the issuance of a criminal complaint or the filing of a civil action or other enforcement action that will be undertaken by the City Attorney's Office.

## Procedures

1. A written application (see attached form) should be made to the City Attorney's Office, setting forth the particular provision of law or contract thought to be violated, together with a full statement of all facts relied upon to establish such violation.
2. After submission of the application, the City Attorney's Office will, within two business days, either undertake the action or notify the department, in writing, of the reasons for their failure to do so.
3. The failure of a department to set forth all facts necessary to establish a violation will result in the rejection of the application, and the City Attorney's office will endeavor to point out where such application is defective so that it can be corrected.
4. With regard to the Police Department, the arrest report shall constitute the written application for complaints against persons who have been arrested and who are in custody. Immediate attention will be given to these requests by the City Attorney's Office.

## REQUEST FOR ENFORCEMENT ACTION

TO: CITY ATTORNEY (Confidential) DATE: \_\_\_\_\_  
FROM: \_\_\_\_\_ TITLE: \_\_\_\_\_  
DEPARTMENT: \_\_\_\_\_ PHONE EXT.: \_\_\_\_\_

This is a request for (check one):

- 9 Issuance of a criminal complaint
- 9 Filing of a civil action
- 9 Other action, including \_\_\_\_\_

(Other action may include a warning letter, a "show cause" letter, etc.)

Whole true name of defendant, and whether an individual, partnership or corporation. If a partnership or corporation, give name and capacity of person or persons acting for it in the commission of the alleged offense.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant's address: \_\_\_\_\_  
(Home)  
\_\_\_\_\_  
(Business)

Code section or other law violated: \_\_\_\_\_

Facts upon which request is based. State names of principals and witnesses; what was done and how; dates, places and reasons; the **source** of each fact. Criminal actions must be proven beyond a reasonable doubt upon sufficient legal evidence, therefore, the facts and how they are proved are equally important.

(over)



**Request for Enforcement Action**  
Page 2

Additional facts and reasons, if any, justifying court action as opposed to other preliminary steps to achieve compliance with the code (failure to give facts or reasons may result in other action than that requested).

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Name of person who will sign the criminal complaint: \_\_\_\_\_

Is the principal witness going on vacation, or other leave, soon? \_\_\_\_\_ When? \_\_\_\_\_

Attach any documents concerned. City forms and records will be returned at the end of action or upon request.

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<b>Subject:</b> Requests for Legal Opinions	<b>Number:</b> 4-3 <b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> City Attorney	<b>Approved:</b>

## Purpose

To establish a procedure for coordinating requests for legal opinions from the City Attorney's Office.

## Procedures

All requests for legal opinions are to be routed through the Chief Administrative Officer, to be signed off prior to forwarding to the City Attorney, in order to ensure administrative coordination from a central vantage point and avoid unintended conflicts or duplication of demands for services of the City Attorney.

<b>Subject:</b> Processing & Use of Standard Legal Documents	<b>Number:</b> 4-4
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> City Attorney	<b>Approved:</b>

## Purpose

1. To establish and set forth uniform procedures for the creation and use of standard documents.
2. To clarify and streamline the procedures for the submittal, review and processing of documents to be standardized by the City Attorney's Office.
3. Standard documents include all City contracts, deeds and other legal forms approved by the City Attorney's Office, numbered and placed in the City Attorney Index of Standard Document (CAISD).

## Procedures

1. Requests for Services
  - a. All requests for legal services should be made in accord with the attached Request/Authorization for Legal Services form (RLS).
2. Use of Standard Documents
  - a. No Authorization Required

Any contract, agreement, or other document that would require "Approval as to Form" by the City Attorney's Office may, with the approval of the City Attorney's Office and approval of any affected department, be converted to a standard document. Any approved standard document, when utilized as set forth in these procedures, can be submitted to Council without further approval from the City Attorney's Office. To implement this procedure, this instruction sets forth procedures and practices to be followed by all persons in requesting/utilizing standard documents.

- b. Request for Standardization

- (1) Any document may be submitted to the City Attorney's Office for review and consideration of the usage of such document as a standard document, by submission with a RLS.

- (2) The City Attorney's Office will review the request for standardization and, if it recommends approval of the standardization of the proposed document, the document shall be submitted to the City Attorney Contract Standardization Team.

c. Review by Contract Standardization Team

The Contract Standardization Team shall, with departmental input, review the document, make necessary revisions to bring it into compliance with the City Attorney's adopted form and number, and place the document in the City Attorney Index of Standard Documents.

d. Use of Standard Document

Once a document has been approved, numbered and placed in the CAISD, it may be used by the applicable City department without further approval of the City Attorney. Reference in staff reports should be made to the utilization of the standard document in lieu of further City Attorney approval as to form, and the document itself shall bear a CAISD number designated by the City Attorney's Office.

e. Required Disclaimer for Standard Document

Each standard document shall be subject to the following requirements:

- (1) There have been absolutely no modifications to the standard language, including, but not limited to, no word changes, no grammar changes, no punctuation changes, no addition or deletion of a single word, and no format changes: **and**
- (2) In lieu of the further approval/signature of the City Attorney, the standard document shall contain a certified statement from the department that no modifications have been made to the standard document. The following format shall be used:

No further approval/signature of City Attorney Required.  
CAISD No. \_\_\_\_\_ has been used without  
modifications, as certified by the undersigned.

\_\_\_\_\_  
Name of Staff Member  
Department  
Date

e. Modification of Standard Documents

Modifications to standard documents may be requested by the department and/or made from time-to-time by the City Attorney's office to reflect changes in the law, Council policy, or procedures. Once notified of approval of any modification, the department must immediately convert to the revised standard document. The original standard document shall no longer

be used, and its CAISD number shall no longer be valid for any purpose. The revised standard document shall receive a new CAISD number.

f. Review by Others

The use of a standard document shall not eliminate or modify in any way the requirements for staff review and consideration, the need for Council approval or execution of such document, nor shall the use of a standard document eliminate or modify in any way the review or approval of another department, division, or the compliance with any law or statute (i.e., Risk Management, CEQA). The sole intent and purpose of a standard document is to bypass the City Attorney draft review and approval/signature process.

**FRESNO CITY ATTORNEY'S OFFICE  
REQUEST/AUTHORIZATION FOR LEGAL SERVICE\***

<b>Project Title</b>	<b>City Attorney Office Control Number</b>
<b>Department Contact</b>	<b>Phone</b>
<b>Description of Legal Service Being Requested</b>	

Complete Either Section A or Section B Below	
<b>SECTION A: Capital Project (CIP) Name</b>	<b>CIP Program Number (FAD)</b>
<b>SECTION B: Operating Program Name</b>	<b>Operating Index Number (FAMIS)</b>
* No appropriations are necessary for legal services provided in support of operating programs. These legal service support costs are recovered through fixed interdepartmental charges.	

No service can or will be provided for this project unless this form is completed, and all information sought is supplied.

Estimates from the City Attorney available on request to cover all legal services and costs. When fee expenditures reach a certain level, a revised estimate for the completion of the project should be requested.

<p>I am authorized to request these services from the City Attorney and to identify the appropriate funding source in either Section A or Section B above. <b>There are now and will be for the duration of this project sufficient funds to pay for the legal services requested.</b></p>		
Date	Department Signature	Title

<b>Subject:</b> City Council Agenda Procedure	<b>Number:</b> 5-1
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> City Clerk	<b>Approved:</b>

## Purpose

To outline the procedure used to assemble and distribute reports and supplemental material for the weekly City Council agenda.

## Policy

The preparation of the weekly City Council agenda is a complex process requiring coordination between City offices. For all those involved, it is crucial that deadlines be met and procedures observed. Failure to meet any of the deadlines may prevent placement of the report on the City Council agenda for the following week.

## Procedures

### Part I.

1. Reports to the City Council shall be on the standard Report to the City Council form. Supplemental material with the "Report" shall be on standard 8-1/2 by 11-inch white paper. City Council agenda material shall be submitted to the Office of the City Manager and the City Clerk's Office by 2 p.m., Wednesday, the week prior to the date of the City Council meeting.
2. The City Clerk's Office shall prepare the preliminary City Council agenda, which will be available by 5 p.m., Wednesday, for department directors' review that evening. The agenda will also be e-mailed to staff on Wednesday afternoon.
3. The City Council agenda shall be formalized at agenda conference on Thursday the week prior to the date of the City Council meeting. The Office of the City Manager will notify department directors of any change to the agenda conference schedule.
4. The required number of copied sets of each Report to the City Council is five.
  - a. The Office of the City Manager shall receive four copied sets. Of these four sets, one shall be picked up by the City Attorney's Office.
  - b. The City Clerk's Office shall receive one copied set.
  - c. The original Report to the City Council shall remain with the department director, who will submit it to the Chief Administrative Officer at agenda conference on Thursday.

5. **Consent Calendar Items.**

- a. On Friday, two weeks prior to the Council meeting, one copy of each Consent item will be delivered to the Chief Administrative Officer for his review. Each copy will be **marked "draft."**
- b. On Tuesday prior to the Council meeting, 10 sets of all Consent items will be provided to the City Clerk for distribution to Councilmembers for their review. The copies will be **marked "draft."**

**Part II.**

1. With each copied set of a report delivered to the City Clerk Office and to the Office of the City Manager, there shall be a City Council Agenda Transmittal form attached to the top of the report. A sample City Council Agenda Transmittal form is attached to this Administrative Order.
2. The City Council Agenda Transmittal form contains the following information.

a. **Council Meeting Date**

Indicate the meeting date the report will be presented to City Council.

b. **Title of Report**

The title must include the City Council action proposed to be taken, **including resolutions and ordinances** to be adopted.

According to the State of California Brown Act, the agenda for a public body must state clearly the subject to be discussed, action to be taken, or action recommended. If the agenda does not mention action to be taken, the City council may not take that action.

The following examples of an agenda title satisfy the requirements of the Brown Act and serve to inform the public and City Council:

- (1) Amend the Salary Resolution to ....
- (2) Adopt Amendment to Ordinance ....
- (3) Approve a Grant Application to the State for....
- (4) Award Bid in the Amount of ....

The City Clerk's Office and City Attorney's Office are available to assist regarding the required title of an agenda item.

c. **Agenda Placement**

Check appropriate category.

- (1) Time Schedule Hearings and Matters



- (2) General Consent Calendar (1A)  
(Noncontroversial items)
- (3) Consent Calendar–Bills for Introduction (1B)
- (4) Consent Calendar–Bills for Adoption (1C)
- (5) Planning and Zoning Administration (2)  
(Controversial planning items for discussion)
- (6) General Administration (3)  
(All other items likely to have discussion, and bills for adoption not set for hearing and not on consent)
- (7) City Attorney (4)
- (8) City Council (5)
- (9) City/County Intergovernmental Relations (6)  
(Intended for material relating to other governmental agencies, such as County of Fresno, State of California)
- (10) Executive Session (7)

**d. Contact Person for Questions**

Indicate the name and telephone number of the staff member to contact if there are questions.

**e. Special Conditions**

Include any special conditions.

- (1) Critical report be placed on agenda for this date.
- (2) Controversial report that may have persons appearing to discuss this with Council.
- (3) Special interdepartmental coordination required.
- (4) Report requires more than quorum majority for passage, e.g., five votes for an appropriation, four votes for an ordinance.

**f. Approval Required or Supplemental Material Secured By**

The report shall reflect completed staff work including legislation, such as an ordinance, specific resolution, contract, agreement, lease. Prior approval by the City Attorney's Office is required on proposed legislative action. Supplemental material attached to the report shall include all necessary coordination with other City offices.

Amendments to the Annual Appropriation Resolution and amendments to the Master Fee Schedule are prepared by the Budget and Management Studies Division. Amendments to the Position Authorization Resolution are prepared by Human Resources.

To provide staff sufficient time to review and approve proposed legislation or to prepare supplemental material, the originating department shall provide a draft of the report to the appropriate office by Monday, 12 noon, prior to the Wednesday agenda deadline.

**g. Remarks**

If the report includes an attached Fiscal Impact Statement, it should be noted under remarks.

**Part III.**

1. On those rare occasions a report cannot be prepared completely by the 2 p.m., Wednesday, deadline, the department shall notify the City Clerk's Office **and** the Office of the City Manager of the pending report and its title for placement on the preliminary City Council agenda.
2. A late report shall be coordinated with the Chief Administrative Officer.
3. "Red tags" were developed for those Council reports submitted after Council agenda packets have been distributed (on Friday afternoons) but which need to be included in the packet for the Council meeting. It is the responsibility of the originating department to complete the following when a report is red tagged:
  - a. Print the appropriate number of copies;
  - b. Three-hole punch all copies;
  - c. Verify with the City Clerk's Office, the red tag information to be completed on the form; red tag forms are available from the City Clerk's Office; and
  - d. Complete and attach a red tag to each copy.
  - e. Distribute to recipients (indicated below) prior to the Council meeting.
    - (1) 8 copies to Mayor/Councilmembers
    - (2) 1 copy to City Manager's Office
    - (3) 1 copy to City Attorney's Office
    - (4) 50 copies plus original to City Clerk

**Part IV.**

1. Contracts are generally not included in the packet of City Council agenda material, but are available at the Council meeting for review. In submitting agenda material that includes contracts, the originating department shall include at least one contract for each party that is a signatory to the contract. These contracts shall generally contain original signatures of all parties other than the authorized City signature. Two such signed contracts are required and must include the City Attorney's signature indicating approval as to form.

**CITY OF FRESNO  
CITY COUNCIL AGENDA TRANSMITTAL**

**COUNCIL MEETING DATE:**

**1. TITLE OF REPORT:**

**2. AGENDA PLACEMENT:**

- ☐ Time Schedule Hearings and Matters  
    ☐ Schedule Time for Public Notice: \_\_\_\_\_  
    ☐ Schedule Time for Citizen Convenience: \_\_\_\_\_  
☐ General Consent Calendar (1A)  
☐ Consent Calendar - Bills for Introduction (1B)  
☐ Consent Calendar - Bills for Adoption (1C)  
☐ Planning and Zoning Administration (2)  
☐ General Administration (3)  
☐ City Attorney (4)  
☐ City Council (5)  
☐ City/County Intergovernmental Relations (6)  
☐ Executive Session (7)

**3. CONTACT PERSON FOR QUESTIONS:** \_\_\_\_\_ Ext.

**4. SPECIAL CONDITIONS:**

- ☐ Critical that item be placed on agenda this date.  
☐ Controversial item - may have persons appearing to discuss with Council.  
☐ Item requires special interdepartmental coordination.  
☐ Requires more than quorum majority for passage.  
☐ Subject to Mayor's veto.

**5. APPROVAL REQUIRED AND/OR BACKUP MATERIAL SECURED BY:**

- ☐ City Attorney's Office  
    ☐ Ordinance    ☐ Resolution    ☐ Contract    ☐ Agreement    ☐  
    Submitted for approval on \_\_\_\_\_  
    ☐ Budget and Management Studies Division  
    ☐ Human Resources Division

**6. REMARKS:**

<b>Subject:</b> <b>Definition of Public Record</b>	<b>Number:</b> 5-2
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> City Clerk	<b>Approved:</b>

## Purpose

To define a public record and establish a procedure for making such records available to the general public when not exempt from disclosure.

## Procedures

1. A public record is defined as any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by the City regardless of physical form or characteristics.
2. Except with respect to public records exempt from disclosure by express provisions of law, public records are open to inspection at all times during regular office hours.
3. Except with respect to public records exempt from disclosure by express provisions of law, upon a request for a copy of reasonably identifiable records and the payment of fees covering direct costs of duplication as set forth in the Master Fee Schedule, staff will make the records promptly available to the person making the request. Computer data will be provided in a form determined by the respective department.
4. Any request to inspect or copy any public record(s) shall be immediately referred to the respective department director and the City Attorney whenever the staff person receiving the request has reason to believe either (i) the record may be exempt, in whole or in part, from disclosure by express provisions of law; (ii) the records may be maintained by another department; or (iii) reasons exist which prevent staff from making the records promptly available. The department director of the department maintaining the records will be responsible for determining whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the City and notifying the person making the request of the determination and the reasons therefor within 10 days of staff's receipt of the request.
5. The Public Records Act (commencing with Section 6250 of the Government Code) contains provisions exempting certain public records from disclosure, such as personnel records, and identifies other statutes that may operate to exempt certain records. These provisions and statutes listed may not be inclusive of all exemptions. Staff is encouraged to consult with the City Attorney.

<b>Subject:</b> Notification of Annexation to City Departments	<b>Number:</b> 5-3
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> City Clerk	<b>Approved:</b>

## Purpose

To establish a notification process to all departments so that they may become officially aware of new annexed areas to the City of Fresno.

## Procedures

1. At the time the County Recorder's Office officially records the new annexation to the City of Fresno, the City Clerk is immediately notified by telephone.
2. The City Clerk's Office will immediately verbally notify the appropriate departments and staff to provide service to those newly annexed areas. Written notification will also be distributed to the departments and staff.
3. Additional internal notices of annexation with maps of the annexed areas will immediately then be distributed to the appropriate departments.

<b>Subject:</b> Biannual Employee Service Award Program	<b>Number:</b> 5-4
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> City Clerk	<b>Approved:</b>

## Purpose

To establish a policy for the biannual Employee Service Awards program in recognition of the organization's most vital asset—its human resources—and to acknowledge the dedicated and outstanding employees who have given ten years or more of service to the City.

## Procedures

An Employee Service Awards event shall be held biannually honoring those employees who have served with ten years or more of service.

A resolution of appreciation shall be presented to each employee being honored.

The event shall be a light refreshment function coordinated by the Effective Public Services committee.

A proposal for each program, including costs and funding, will be submitted to the Chief Administrative Officer for approval prior to each event.

<b>Subject:</b> Unbudgeted Projects Requested by Council Members	<b>Number:</b> 6-1
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> City Manager	<b>Approved:</b>

## Purpose

To establish a uniform policy for costing and funding unbudgeted special projects, minor capital, and other expenses requested by members of the City Council.

## Policy

An unbudgeted special project is a project, such as a building modification or an electrical installation, which would be performed by or under the auspices of the Department of Administrative Services, for which no current appropriation exists.

An unbudgeted minor capital acquisition is an acquisition of a minor capital asset, such as a chair, table, calculator, picture frame, etc., for which no budget currently exists.

Other expenses include any unbudgeted items such as travel, meals, gifts, printing, banners, plaques, T-shirts, artwork, mailings, receptions, etc.

Discretionary budgets refer to the seven budgets allocated to each member of Council. These budgets are restricted to expenditures that benefit the individual Council Member's district activities or the activities of the Mayor's Office.

City Council and Mayor operating budget refers to the eighth budget, which contains appropriations of a general or City-wide nature.

Council special project contingency refers to an appropriation established for unforeseen activities in the City Council and Mayor operating budget.

## Procedures

1. The Chief Administrative Officer or designee will review all requests by members of Council for the acquisition of any items or services to determine whether they are authorized within current appropriations.
2. The Chief Administrative Officer or designee will follow the established policies and procedures to obtain cost estimates for any unbudgeted special project or minor capital request from a member of the City Council. The Chief Administrative Officer or designee will attempt to determine the costs for "other expenses" items or services from the vendor for items under

\$6,500 or from the Purchasing Division of the Department of Administrative Services for items over \$6,500.

3. After obtaining the cost estimate, the Chief Administrative Officer or his designee will advise the member of Council whether the requested item or service is currently budgeted, and if it is not, whether sufficient "savings" can be found in that member of Council's discretionary budget.
4. After being advised by the Chief Administrative Officer or his designee that no current appropriation exists, the member of Council will provide an explanation of the need for the item or service. If the member of Council wishes to fund the expenditure from other than his or her discretionary budget, an explanation of how the expenditure is of general benefit must be provided to the Chief Administrative Officer or his designee.
5. Once the cost is known, one of the two following methods of funding approval must be used:
  - a. A budget Appropriation Transfer (AT) request form should be processed for any unbudgeted item that is to be funded from an individual member of Council's discretionary budget. The member of Council should sign in the "Division" signature block. The "Department" signature block should be signed by the Chief Administrative Officer or his designee.
  - b. The Chief Administrative Officer or his designee should contact the Budget and Management Studies Division, if the proposed funding source is either (1) the Council Special Projects Contingency, or (2) the General Contingency. Upon receipt of a draft Council agenda item, the Budget and Management Studies Division will prepare a Council resolution providing appropriations for the proposed expenditure. A resolution affecting the Council Special Project Contingency must be adopted by the affirmative votes of at least four Council Members. A resolution affecting the General Contingency must be adopted by the affirmative votes of at least five Council Members.



<b>Subject:</b> Procedure for Naming or Renaming City Facilities	<b>Number:</b> 6-2
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> City Manager	<b>Approved:</b>

## Purpose

The Municipal Code of the City of Fresno establishes that City Council shall have the power to name and rename public facilities following a public hearing noticed and held in accordance with regulations promulgated by the Chief Administrative Officer. This Administrative Order formally outlines and establishes this procedure.

## Procedures

The Council shall name or rename a City facility in accordance with the following procedure:

1. Any resident of the City may request that a City facility be names or renamed by submitting a written request to that effect to the Chief Administrative Officer. The requesting resident shall include a written report, addressed to the Council, listing the reasons why the City facility should be named or renamed as requested.
2. The Chief Administrative Officer will inform the Council of any written request from any resident of the City to name or rename a City facility within a reasonable time after such request is received.
3. The Council shall either deny or accept the request to initiate the naming or renaming of the City facility. If the Council denies such request, that decision shall be final.
4. If the Council approves the request to initiate a name change, the Council shall set a date and time for a public hearing to consider the naming or renaming of a City facility.
5. The City Clerk shall give notice of the date, time and place of the public hearing for Council consideration of the request by publication in a newspaper or general circulation in this City at least 15 days prior to the date of such hearing.
6. The Council shall consider the request on the date and time set by it for a public hearing, provided that such hearing may be continued from time-to-time by the Council. Any person may address the Council for the purpose of giving additional comments in the naming or renaming of the City facility under consideration.
7. The decision of the Council to name or rename a City facility shall be implemented by the adoption of a resolution naming or renaming the facility. The decision of the Council shall be final.

8. The Council may directly accept or make a request to name or rename a facility and act upon the matter, without complying with the above procedure, if the Council finds the action is necessary and appropriate. Such request shall be made at a regular Council meeting and the matter shall be listed on the agenda.

<b>Subject:</b> <b>Use of City Facilities &amp; Equipment (Including Use for Political Activities)</b>	<b>Number:</b> 6-3
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> City Manager	<b>Approved:</b>

## Purpose

To establish rules and regulations regarding the use of City facilities and equipment for political activities.

## Procedures

The term "City facilities," as used in this Administrative Order, shall not include the Convention Center or Neighborhood Centers.

The following regulations apply to the use of City facilities:

1. Field facilities and equipment may not be used by any non-City organization or for any non-City function. Use of field facilities and equipment by City organizations for City-related functions may occur only with the consent of the department operating the facility.
2. Organizations, political or non-political, may use City facilities, excluding field facilities, only when the facility is made available to all parties and organizations on an equal basis, including rent or use fees, if applicable, and such use does not conflict with other City activities.
3. Use of certain City facilities may be restricted in order to provide availability of such facilities for primary use by City staff.
4. Government agencies, such as the State or other political subdivisions and special districts, will not be required to pay a fee for the use of City facilities.

All other organizations will be required to reimburse the City for the use of facilities and/or equipment, according to a schedule of fees established in the Master Fee Schedule. Political organizations will pay established commercial rates.

5. In special cases, the Director of Transportation shall have the authority to designate specific sites at Fresno Yosemite International Airport and Chandler Field for public purpose use.

The term "field facilities," as used in the Administrative Order, shall include, but not be limited to, fire stations, the Wastewater Treatment Plant, water yard, police dressing stations, the Municipal Service Center, and any other non-City Hall facility designated as a work station for City employees.

<b>Subject:</b> Correspondence by City Departments to Outside Parties	<b>Number:</b> 6-4
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> City Manager	<b>Approved:</b>

## Purpose

1. To establish a maximum deadline for the answering of all correspondence directed to City departments, other than form letters.
2. To establish a policy regarding the signing of all correspondence directed to outside parties.

## Procedures

1. All correspondence, other than form letters, directed to City departments shall be answered within three working days of receipt.
2. If the matter cannot be answered immediately, an acknowledgment should be mailed to the interested party and a reply should be prepared as soon afterwards as possible.
3. If a definite answer has not been given with the first letter, a copy of the above letter should be placed in a follow-up file in order to assure that the letter is answered with a definite decision reply.
4. Department directors will use their own discretion in determining which positions shall be authorized to sign outgoing correspondence. Determinations as to what form outgoing correspondence will take will also be made by the department directorss.

<b>Subject:</b> Personal Use of Telephone	<b>Number:</b> 6-5
<b>Responsible Department:</b> City Manager	<b>Date Issued/Revised:</b> December 1, 1998
	<b>Approved:</b>

## Purpose

1. To establish a uniform policy and procedure for the personal use of City telephones.
2. To establish a policy regarding the handling of all incoming telephone calls.

## Procedures

1. All employees are instructed to refrain from using City telephones for personal reasons, except under emergency conditions. Personal calls are time-consuming and, therefore, costly to the City, which in turn may result in criticism of the departments of the City.
2. In order to ensure the complete and proper handling of telephone calls received by the various departments, department directors shall institute procedures regarding the returning of outside calls and the follow-up of return calls that have not been completed on the first attempt.

<b>Subject:</b> Release Time Policy for Employee Retirement Board Members	<b>Number:</b> 6-6
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> City Manager	<b>Approved:</b>

## Purpose

To fulfill their fiduciary obligations to the Retirement Systems, it is essential that elected or appointed employee Retirement Board members attend Retirement Board meetings, Committee meetings, retirement-related conferences, investment-related advisory meetings and conduct on-site visitations as part of the Boards' due diligence evaluation of proposed and current providers of services.

To fulfill their fiduciary obligations, each employee Board member must be allowed sufficient release time from work duties to fulfill his or her Board responsibilities. This policy is intended to establish the necessary policies, procedures and guidelines for release time of employee Board members.

## Policy

1. It is the policy of the City of Fresno to allow employee Board members release time from work duties to attend noticed Board and Committee meetings appropriate, due diligence site evaluations of proposed and current providers of services, and appropriate retirement-related conferences.
2. Employee Board member release time will be fully reimbursed by the Retirement Systems to hold the departments harmless from any financial impact.

## Procedures

1. Elected or appointed employee Board members are authorized to attend all noticed Board and Committee meetings.
2. Authorization for release time for conferences, training or due diligence site visitations.
  - a. The employee Board member must submit a written request for release time to his or her department director, and should use best efforts to provide such notice not less than thirty (30) days before the requested travel date. The department director shall use best efforts to respond to the employee within seven (7) days of receipt of the request.
  - b. Should the department director deny a request, the employee Board member and the department director shall meet to discuss the issues relating to the denial of the release of time. If the parties are unable to resolve the issues, they will meet with the Chief Administrative Officer for a final determination of the issues.

- c. The conferences, training and due diligence site visitations for which paid release time is sought, must be related and necessary to the Board member's fulfilling his or her fiduciary obligations to the System.

<b>Subject:</b> Acceptance of Gifts and Rewards	<b>Number:</b> 6-7
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> City Manager	<b>Approved:</b>

## Purpose

To establish a City-wide policy regarding the acceptance of gifts and rewards.

## Policy

It is the policy of the City to prohibit any employee from accepting gifts or rewards from an outside source or vendor on an individual basis for individual use.

## Procedures

1. It will be permissible for departments to accept small gifts, T-shirts, hats (caps), food or candy, provided the gift is readily available to all division/departmental employees, or each division/departmental employee has equal opportunity to receive such gift as a prize at a division/department gathering, such as a Christmas luncheon, etc.
2. These small gifts must not include alcoholic beverages or tobacco products.
3. Violations will result in severe disciplinary action up to and possibly including dismissal.



<b>Subject:</b> Participative Management Program	<b>Number:</b> 6-8
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> City Manager	<b>Approved:</b>

## Purpose

To provide for participative management programs and activities in all departments.

## Policy

It is the policy of the City of Fresno that there be a participative management philosophy, program and procedure that will allow for input by and inclusion of employees in all departments, at all levels (management and non-management), in the problem-solving and decision-making processes of the City of Fresno. Employees' time and participation, and use of resources in these programs, must be structured and have received prior department approval.

## Procedures

1. All employee participants in participative management activities, i.e., Quality Circles, etc., be allowed a minimum of one hour per week to participate in such activities.
2. Sufficient management employee time be allotted for participation in such activities, i.e., management presentations, supervisor leader/facilitator training and participation, etc.
3. Where and when applicable, City equipment and resources may be used for participative management activities.
4. Within the elements of Quality Circles, the policies and procedures as established and administered by the steering committee shall be adhered to by all participants.

<b>Subject:</b> Idea\$ Pay	<b>Number:</b> 6-8.1
	<b>Date Issued/Revised:</b> June 16, 2003
<b>Responsible Department:</b> City Manager	<b>Approved:</b>

## Purpose

To provide a City-wide program that encourages, fosters and promotes the development, submittal and implementation of individual/team-based employee ideas that increase the City's efficiency, service to the public or make working conditions safer.

## Policy

It is the policy of the City of Fresno to reward individual/team-based employees for actively engaging in the process of improving City government. Ideas are intrinsic to this policy, and serve as keys to innovation, accountability and creative competitive approaches.

## Procedures

### 1. Idea\$ Pay Committee

The Idea\$ Pay program (\$P) is administered by a committee appointed by the City Manager. The \$P committee is composed of one representative from each department, with one representative serving as the \$P administrative coordinator for \$P program operations.

### 2. Definitions

The following definitions apply to the \$P program.

- a. **Idea\$:** An idea submitted for consideration must be written, concise, and must create significant cost savings, generate substantial new revenues, or result in a significant improvement in the quality of service or the working environment. The idea may be new and original, or may involve a new application of an old idea.
- b. **Eligibility:** Except for the City Manager and staff, council staff, department/division heads, and the \$P committee, all individual/team-based employees are eligible to participate. However, if an eligible employee(s) separates from City service in good standing between the time an idea is submitted for consideration and the presentation of a \$P award, the employee remains eligible for the award. In the event of the death of a separated employee(s), any cash award is paid to the beneficiary or estate.

The identity of the participant(s) is known only to the \$P administrative coordinator, and is not disclosed until after the final disposition of the submitted idea.

- c. **Criteria for Eligibility:** All constructive ideas are welcome, however, some are not considered eligible for consideration. Examples of ineligible ideas are:
- Ideas must not be in use prior to the date of submittal.
  - Ideas already under consideration by the City prior to the date an idea is submitted.
  - Ideas the \$P committee considers to be part of an employee's normal duties.
  - Ideas that are not economically or operationally feasible.

### 3. **Submittal**

Ideas must be in writing on the attached standard form, and submitted to the \$P administrative coordinator. Additional supporting documents may be attached. Ideas are to be written clearly and concisely. It is suggested that the idea be carefully thought through, and consideration given to costs, implementation, savings, benefits, and how the plan can be accomplished.

- a. The \$P administrative coordinator is to issue notification of receipt of an idea within seven business days of its receipt. The coordinator is to also issue notification to the participant(s) concerning final disposition of the submitted idea.
- b. The \$P committee will analyze the idea, obtain input from affected departments and technically qualified staff, and prepare a recommendation report to the City Manager. The \$P committee may request additional information on the idea, recommend to the City Manager that the idea be implemented, recommend the type and amount of award, or reject the idea and cite the basis for the rejection.
- c. If an idea is not initially approved, but is put into effect within a three-year period after the date submitted, and provided conditions at adoption remain unchanged after the idea was submitted, the employee(s) will receive the City Manager-approved award.

### 4. **Awards**

Monetary awards are given to eligible employees for ideas that are City Manager-approved and implemented within three years from the date of submittal. The amount of an award is recommended by the \$P committee and is based on the significant effect of the idea. The minimum award is \$100, the maximum \$3,000. The City Manager may approve an expansion of the maximum up to \$5,000. Eligible team-based participants are each, individually, to share the approved award amount (e.g., City Manager approves a \$400 award for an eligible team comprised of four employees, each employee would receive \$100).

Ideas resulting in indeterminate cost savings, new revenue, service improvements or improved working environment may be awarded according to the following scale:

- a. Certificate of \$P merit
- b. \$100
- c. \$200
- d. \$300
- e. \$400
- f. \$500

Idea\$ Pay monetary awards are defined as wages by the Internal Revenue Service Bureau, and are subject to withholding tax as with a regular pay check. However, such awards are not considered salary, wages, or earnings for the purposes of overtime, retirement, disability insurance, etc. This policy is appealable/grievable solely to the City Manager, whose recommendation is final.

# CITY OF FRESNO IDEA\$ PAY FORM

Date Received: \_\_\_\_\_

Ideas No. \_\_\_\_\_

**Problem Statement:** (Please print or type)

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**Solution:**

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**Savings/Benefits/Effect:**

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(Additional documents may be attached.)

Fill in Completely

Name	Title	Phone No.	Department

**(Do Not Write In This Space)**

Date: \_\_\_\_\_

\_\_\_\_\_ Processed for Analysis  
\_\_\_\_\_ Analysis Completed  
\_\_\_\_\_ Action by Committee

- ☐ Approved  
☐ Disapproved

Action by CAO \_\_\_\_\_

Award Made \_\_\_\_\_

The use by the City of Fresno of my/our idea above stated, shall not form the basis of a further claim of any nature upon the City by me/us, my/our heirs or assigns. **(Idea will not be accepted if the form is unsigned.)**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

If team-based idea, all signatures are required:

_____	_____
_____	_____
_____	_____

**(Do Not Write In This Space)**

Date: \_\_\_\_\_

\_\_\_\_\_ Processed for Analysis

\_\_\_\_\_ Analysis Completed

\_\_\_\_\_ Action by Committee

9 Approved

9 Disapproved

Action by CAO \_\_\_\_\_

Award Made \_\_\_\_\_

The use by the City of Fresno of my/our idea above stated, shall not form the basis of a further claim of any nature upon the City by me/us, my/our heirs or assigns. **(Idea will not be accepted if the form is unsigned.)**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

If team-based idea, all signatures are required:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

<b>Subject:</b> Resolving Findings From an Internal Audit	<b>Number:</b> 6-9 <b>Date Issued/Revised:</b> August 1, 2000
<b>Responsible Department:</b> City Manager	<b>Approved:</b>

## Purpose

To establish procedures for resolving findings from an internal audit.

## Procedures

1. Upon completion of the internal audit, prior to the audit report being issued in final form, the department that was audited (subsequently referred to as "department" ) shall receive a draft copy of the report for its review.
2. The department shall make a response to the findings included in the audit report within 14 calendar days. This response shall be in writing and made to the Principal Internal Auditor for inclusion in the final audit report issued to the Chief Administrative Officer and the department.
3. For those findings and recommendations with which the department agrees, the department shall implement the recommendations within 30 calendar days of the issuance of the final audit report. If circumstances do not allow for the recommendation to be implemented within 30 calendar days, the situation is to be presented to the Chief Administrative Officer or his/her designee, who may grant an extension for the implementation, if deemed appropriate.
4. For those findings and recommendations with which the department does not agree, a meeting to resolve the differences will be held if needed. The participants in the meeting will include representatives from the department, the Principal Internal Auditor, and any other persons whose attendance would aid in the resolving of the findings. At this meeting, the findings and responses will be discussed by the parties and at the conclusion of the meeting, if no mutually agreeable solution has been reached, an agreement on how the department and Internal Audit will proceed should be reached.

If the finding is resolved such that no recommendation is to be implemented, no further work will be done by the department, and the final audit report will be amended to reflect the decision. If the finding is resolved such that a recommendation is to be implemented, the department will proceed with the implementation as discussed in procedure #3.

<b>Subject:</b> Recommended Secretarial-Clerical Reference Materials	<b>Number:</b> 6-10
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> City Manager	<b>Approved:</b>

## Purpose

To establish a recommended City-wide standard and uniform reference book for all secretarial and clerical employees.

## Procedures

1. The primary reference book shall be the latest edition of the "How" series (A Handbook for Office Workers) by Clark & Clark.
2. Each department shall purchase a reference book for each secretarial/clerical employee where needed. One copy may be used by several employees, and employees physically separated from departmental offices may either be provided a reference book or request reference information from the department office.



<b>Subject:</b> Education for City Employees	<b>Number:</b> 6-11
	<b>Date Issued/Revised:</b> November 15, 1999
<b>Responsible Department:</b> City Manager	<b>Approved:</b>

## Purpose

1. To define the education policy of the City of Fresno.
2. To define the scope, responsibility, and administration of the education policy for enhancing an employee's education.
3. To establish uniform policies and procedures applying to reimbursement of all City employees for expenses incurred in connection with education activities, such as conferences, workshops, and the tuition reimbursement program.

## Policy

It is the policy of the City of Fresno to identify and assist those employees whose education needs will benefit the City; to provide tuition assistance to those permanent employees who voluntarily pursue a higher level of education; and to encourage its employees to take advantage of the City's education program within the limits set forth in this section.

## Definitions

For the purpose of administering and defining benefits and budget proposals under this policy, the following definition:

<b>Adjusted hours</b>	The rearrangement of duty hours so that an individual can attend educational courses. This is not a reduction of hours worked.
<b>Appropriate authority</b>	The City Manager, department director, or their duly authorized representatives.
<b>Education</b>	A course of learning or instruction offered by an approved or accredited institution that has a broad application and is taken for the purpose of obtaining a degree, diploma, or broadening an employee's professional knowledge or skills.
<b>Job related education</b>	Education designed to provide specific skills needed by the employee to handle his/her currently assigned job or tasks more effectively, as distinguished from training or education for another job, promotion, additional skills, professional development, or personal growth.
<b>Permanent employee</b>	An employee who has passed the initial probationary period after being hired by the City of Fresno.
<b>Required education</b>	Any education that the appropriate authority specifically directs the employee to take or engage in and is expressly authorized prior to the employee's engaging in the training or education.

**Voluntary or independent education**

Any education or attendance at meetings that is not required by the City and that an employee attends or participates in upon his/her own initiative during nonwork hours. In order to be voluntary or independent, the following criteria must be met:

1. Attendance is outside the employee's regular working hours or attendance is on paid-leave time.
2. Attendance is not required by the City and nonattendance will not affect the employee's working conditions or continued employment.
3. The employee is not required or authorized to perform any productive work for the City during such attendance.

## **Responsibilities**

**Department Director**

The department director will establish, within the department, a procedure whereby all education requests are critically reviewed with respect to benefit and cost to the City. In those cases where the department director determines the education time might be compensable under overtime pay regulations, he/she will review the request and determine if the training benefit offsets the potential cost.

**Employee**

Prior to enrollment, the employee is responsible for submitting the correctly completed application form to the department director and obtaining approval and authorization to attend the education course. After successfully completing the course or training, the employee is further responsible for submitting the correctly completed application form, with all supporting documentation, to BMSD.

**Budget and Management Studies Division (BMSD)**

BMSD is responsible for ensuring all supporting documentation has been submitted with the Request for Payment (RFP) and that the requested reimbursement falls within the policies of this instruction.

## **General Policy**

In rare instances, circumstances might justify adjusting an employee's work hours so that he/she may attend voluntary education, training, or professional meetings. Adjusted work hours may be granted by the department director upon the approval of the City Manager. Adjusted work hours will require the maintenance of positive attendance records. This provision shall not be used solely as a convenience for the individual; the guiding rule shall be that the adjusted schedule is in the best interest of the City. Justification for adjusted hours should be submitted along with the request for Approval for Reimbursement, Form A.

Release time for attendance of voluntary training or professional meetings may be granted upon approval of the department director and the City Manager. This provision shall not be used solely as a convenience for the individual; the guiding rule shall be that the release time is in the best interest of the City. Release time to attend voluntary education is not authorized.

Education reimbursements will be approved in the following priority:

1. Accredited course work directly related to the employee's present job.

2. Preparation for promotion to a position in the employee's vocational or professional field or a closely related field

Approval for reimbursement is a privilege extended to employees by the City, and any provisions of this manual to the contrary notwithstanding, any voluntary or independent training or education (as defined in the manual), whether or not the costs thereof are reimbursed by the City or attendance is on release time, is not work or service required of the employees as to create an implication or presumption that the employee is working for the City or carrying out City business while traveling to or from, or attending such training or education, nor is it considered a benefit to the City so as to create a liability on the part of the City under workers' compensation laws.

The department director may authorize the use of City time for voluntary attendance at short training sessions or professional meetings; however, overtime pay or compensatory time off is not authorized for time in attendance or travel time.

Upon completion of voluntary education courses for which an employee has received reimbursement, that employee must remain in the employ of the City for a period of six months after completion of the course. If the employee leaves the employ of the City prior to the expiration of said six months, the employee shall reimburse the City for the amount of his/her last tuition reimbursement.

## **A. Reimbursement — Voluntary and Independent (Nonrequired) Education**

1. Procedural requirements:

- a. A Tuition Reimbursement Application form (Form A) must be approved by the employee's department director **prior** to the beginning date of the course.
- b. Approval for reimbursement is based on applicability to the employee's current or potential job and responsibilities in this organization and limited to courses given by the following entities:
  - (1) accredited colleges and universities;
  - (2) accredited junior colleges;
  - (3) adult education courses sponsored by the Board of Education; and
  - (4) international correspondence courses.
- c. Approval for educational correspondence course work leading to a degree is limited to those programs that require at least one academic year in attendance at the institution.
- d. Receipts for tuition and books must be presented along with a copy of the Form A before payment will be authorized.
- e. An RFP must be submitted to the department director no later than 60 days following completion of the course. The department director will have five working days, from receipt of the RFP from the employee, to approve the RFP. Payments submitted after that five working day limit will be denied by BMSD. Payment will not be authorized for requests submitted to the department director after the 60 day deadline.
- f. Students attending an institution which issues grades for a time period other than a semester basis must submit a Tuition Reimbursement Application (Form A) along with an RFP to the department director within 60 days following completion of the course taken. Consolidating claims from various periods into one RFP will result in the denial of that claim.

2. Grade requirements:
  - a. **Undergraduate** work requires a grade of "**C**" or **better** (or "**passing**" where no course grade is given).
  - b. **Graduate** work requires a grade of "**B**" or **better**.
  - c. When **multiple courses** are taken and one or more of the grades are below "C" (undergraduate work) or "B" (graduate work) or the course is not "passed" where no letter grade is given, reimbursement will be prorated using the formula established in section D7.

## **B. Application for Approval —Before Enrollment in the Course**

1. The employee completes Part I of the Tuition Reimbursement Form A and submits to the department director for approval. For a tuition advance, complete Part I of Form B and submit to the department director and City Manager for approval. (See Section F for more details on Advances.)
2. Upon approval by the department director, the yellow copy will be returned to the employee. Approval for reimbursement must be obtained prior to enrollment.

## **C. Application for Reimbursement —After Completion of the Course**

1. The employee completes Part II of his/her copy (yellow copy) of either Form A or B. (Complete Part III for partial reimbursement for correspondence course.)
2. The employee attaches grade slips, tuition receipts, and book receipts to the yellow copy and forwards the documentation to the department director.
3. The department director will cause to have an RFP prepared for the approved reimbursable amount and forward the RFP, with all supporting documentation attached, to BMSD.
4. BMSD will ensure all supporting documentation has been submitted with the RFP and that the reimbursement falls within the policies of this instruction. Upon approval by BMSD, the RFP and supporting documentation will be forwarded to Accounts Payable for processing.
5. BMSD has authority to deny a reimbursement in accordance with this Administrative Order. The City Manager has final approval on all matters. If you would like to appeal a decision, this must be done in writing to the City Manager.

## **D. Reimbursable Costs**

1. Any question as to whether an item is reimbursable will be resolved by the City Manager.
2. High school **General Education Diploma (GED)** test fees will be reimbursed (other test fees are exempt).
3. All expenses incurred by conducting directed research as part of graduate work towards a thesis shall be reimbursed. Employee must submit an itemized list of expenses and receipts with his/her reimbursement form.

4. Required fees (tuition and state-mandated health fees), except those hereinafter excluded, shall be reimbursed by the state.
  - a. **Undergraduate work:** A maximum of 24 units per fiscal year; may include up to six units for intersemester sessions.
  - b. **Graduate work:** A maximum of 15 units per fiscal year; may include up to three units for intersemester sessions.
  - c. **Lengthy correspondence course:** 24 semester units per fiscal year.
  - d. **Fees for labs:** Fees for which attendance is a mandatory element of the course grade.

**Notes:** Reimbursement for intersemester sessions will not be authorized unless the employee attended the immediately preceding semester.

Intersemester sessions will be reimbursed at the regular semester CSUF per-unit costs, if the employee attended the immediately preceding regular session.

5. Employees will be reimbursed 50 percent of the cost of **required** text books for each preauthorized and successfully completed course.

6. **Fresno City College (FCC) or California State University Fresno (CSUF):**

Reimbursable costs will be as indicated in Items D4 and D5 above.

7. **Institutions other than FCC or CSUF:**

Actual cost or the CSUF per-unit cost (whichever is less) and 50 percent of the cost of **required** text books for each preauthorized and successfully completed course.

The CSUF per-unit cost will be calculated as follows:

M Full-time Student (7 units or more per regular semester):

$$\frac{\text{Total tuition cost at CSUF} \\ \text{for a full-time student}}{9 \text{ units}}$$

M Part-time Student (6 units or less per regular semester):

$$\frac{\text{Total tuition cost at CSUF} \\ \text{for a part-time student}}{6 \text{ units}}$$

The maximum reimbursement an individual pursuing an undergraduate degree can earn in a fiscal year is the sum of the cost of two semesters of full-time attendance at CSUF, the cost of six units of intersemester courses at CSUF, and the cost of 50 percent of the required textbooks.

The maximum reimbursement an individual pursuing a graduate degree can earn in a fiscal year is the sum of the cost of two semesters of full-time attendance at CSUF, the cost of three units of intersemester courses at CSUF, and the cost of 50 percent of the required books.

8. **Employees receiving tuition or financial assistance, payment, or reimbursement from another source** (e.g., GI bill, VA payments, financial assistance, POST reimbursement, scholarships, educational incentive pay, etc.): The employee will be entitled only to the difference between the reimbursable cost and the amount received from the other source.

9. **Correspondence courses:**

- a. Reimbursement for preauthorized and successfully completed educational or vocational correspondence courses from an accredited educational institution shall be actual costs or the CSUF tuition cost as defined in Section D7, whichever is less, and 50 percent of the cost of **required** textbooks for each course.
  - b. Lengthy correspondence courses or extension programs can be reimbursed quarterly upon certification by the school as to the number of units or assignments satisfactorily completed. The amount to be paid for each assignment or unit will be determined by dividing the reimbursable price of the course by the total number of assignments or units required for completion.
10. For employees in **classified, unclassified, permanent full-time, permanent part-time, and/or permanent intermittent** positions, tuition reimbursement is available after one year (2,080 hours) of service.
- a. Permanent part-time or permanent intermittent employee will be in proportion to the number of hours scheduled for his/her position, as reflected in the adopted Position Allocation Resolution.
11. **Professional meetings, special courses, seminars, or conferences**, not falling under the definition of education, regardless of sponsorship, may be approved for reimbursement by both the department director and City Manager when, in their determination, attendance is in the best interest of the City and subject to the provisions of the Administration Order, 1-4 and 1-6 when applicable.

## **E. Reimbursement —Required Training and Education**

1. Courses that meet the definition as stated in this manual of authorized and required education or training will be 100 percent reimbursable, subject to the limitations contained in Administrative Order 1-4 and 1-5.

## **F. Reimbursement —Advance**

1. When it can be shown that receiving the reimbursement after a course is completed will cause significant financial hardship, the City Manager may authorize advance reimbursement assistance, subject to appropriate conditions and provisions outlined in this Administrative Order. Submit your request in writing to the City Manager. If request is approved, follow guidelines set forth in Section B.

## **G. Nonreimbursement —Courses**

1. Under no circumstances will a **correspondence course** be reimbursed without prior approval, in writing, from the department director.
2. Internship courses.
3. Independent study courses.
4. Life or work experience credits.
5. Travel courses.

6. Any course of study in which the individual is not required to maintain regular attendance or is only required to pass an examination at some time during such course.
7. Workshops or seminars conducted by educational institutions, unless the individual enrolls at the request of the City or the course work is required as part of an accredited program to obtain a degree.

## **H. Nonreimbursement —Costs/Fees**

1. Matriculation fees.
2. Test fees (except for high school GED).
3. Parking fees.
4. Insurance fees.
5. Cost of thesis reproduction.
6. Optional materials or clothing costs.
7. Fines.
8. Late fees.
9. Fees of a personal or self-incurred nature.
10. Fees associated with paying tuition on a payment plan.
11. Reimbursement will not be provided for course work leading to degrees outside the employee's career field or for course work of general or personal interest.



# Form A

## Tuition Reimbursement Application

**Note:**

- Each course must be completed with a grade of "C" or better for undergraduate work ("B" or better for graduate work) or "passing" where no letter grade is given.
- Request for reimbursement (completed Parts II or III of Form A) must be submitted to the Budget and Management Studies **within 65 days** following completion of course work.
- Refer to the Administrative Order Manual, Instruction 6-11, for additional information.

### Part I—Approval of Course(s) for Reimbursement

**Instructions:**

- Complete Part I of this form, in duplicate, and submit to your department director to obtain approval **prior** to the beginning date of the course work.
- Upon completion of the course work, fill out Part II or Part III (whichever is appropriate) and submit the original to your department along with all receipts.

<u>Course Number</u>	<u>Course Title</u>	<u>Number of Units</u>	<u>Days Offered</u>	<u>Time Offered</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Enrollment at: ☐ CSUF ☐ FCC ☐ Other (specify) \_\_\_\_\_

Semester/Quarter: ☐ Fall ☐ Spring ☐ Summer ☐ Other (specify) \_\_\_\_\_

☐ Undergraduate work ☐ Graduate work

**Financial assistance:** Are you now receiving, or do you intend to apply for, financial assistance payments or reimbursement for the above courses from any agency or program (POST, Veterans' Administration, GI Bill, financial aid, scholarships, etc.)?

☐ No ☐ Yes (provide name of agency or program and amount of assistance) \_\_\_\_\_

Tuition reimbursement for the above courses will be approved only if the applicant agrees to and meets the following requirements:

- Attendance is totally voluntary.
- Attendance is outside the applicant's regular working hours.
- Applicant understands the course is not required by the City and nonattendance will not affect the applicant's present working conditions or continued employment.
- Applicant will not perform any productive work for the City during attendance at course.
- Applicant understands and agrees that any injury incurred during attendance at or while traveling to and from education courses is not compensable under workers' compensation.

I have read and agree to the above requirements:

☐ Approved

☐ Disapproved

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Department Director

\_\_\_\_\_  
Date

# Form A

## Tuition Reimbursement Application

### Part II —Request for Tuition Reimbursement

**Nonreimbursable costs and fees:** Matriculation fees; test fees (except high school GED); costs for damages or lost items; parking fees; insurance fees (except state health insurance); parking fees, thesis reproduction costs; optional costs or fees; fees of a personal or self-incurred nature.

**Remember** to attach all receipts and transcripts or grade cards and to submit for reimbursement only for the courses that have been successfully completed.

	<u>Amount Expended</u>	<u>Amount Approved</u>
<b>Tuition</b> (attach receipts and transcript or grade card)	\$ _____	\$ _____
<b>Required text books and materials</b> (attach receipts)	_____	_____
<b>Other reimbursable expenses</b> (attach receipts with explanation)	_____	_____
<b>Totals</b>	\$ _____	\$ _____

☐ Approved

 \_\_\_\_\_  
Signature of Applicant

 \_\_\_\_\_  
Date

☐ Disapproved

 \_\_\_\_\_  
Department Director

 \_\_\_\_\_  
Date

### Part III —Request for Tuition Reimbursement for Lessons Completed for Correspondence Course

Name of School \_\_\_\_\_

Address of School \_\_\_\_\_

Name of Course \_\_\_\_\_

Cash Price \$ \_\_\_\_\_ Total Number of Assignments \_\_\_\_\_ Cost per Lesson \$ \_\_\_\_\_

 Reimbursement is requested for \_\_\_\_\_ lessons successfully completed during the  
 period \_\_\_\_\_, 19\_\_\_\_\_, through \_\_\_\_\_, 19\_\_\_\_\_.

 Assignments numbered \_\_\_\_\_ through \_\_\_\_\_ were successfully completed during the period,  
 as evidenced by the attached certification from the school.

I certify that the foregoing is a correct statement of work completed, and I have not previously been reimbursed for any of the above numbered assignments.

 \_\_\_\_\_  
Signature of Applicant

 \_\_\_\_\_  
Date

☐ Approved

Approved reimbursement amount: \$ \_\_\_\_\_

☐ Disapproved

 \_\_\_\_\_  
Department Director

 \_\_\_\_\_  
Date

**Form B**

**Tuition Reimbursement Application —Advance Payment**

**Note:**

1. Each course must be completed with a grade of "C" or better for undergraduate work ("B" or better for graduate work) or "passing" where no letter grade is given.
2. Request for reimbursement (completed Parts II of Form B) must be submitted to the Budget and Management Studies **within 60 days** following completion of course work.
3. Refer to the Administrative Manual, Instruction 14-23, for additional information.

**Part I —Approval of Course(s) for Reimbursement**

**Instructions:**

1. Complete Part I of this form, in duplicate, and submit to your department director to obtain approval **prior** to the beginning date of the course work.
2. Upon completion of the course work, fill out Part II and submit an original and one copy to your department along with receipts.

<u>Course Number</u>	<u>Course Title</u>	<u>Number of Units</u>	<u>Days Offered</u>	<u>Time Offered</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Enrollment at: ☐ CSUF ☐ FCC ☐ Other (specify) \_\_\_\_\_

Semester/Quarter: ☐ Fall ☐ Spring ☐ Summer ☐ Other (specify) \_\_\_\_\_

☐ Undergraduate work ☐ Graduate work

**Financial assistance:** Are you now receiving, or do you intend to apply for, financial assistance payments or reimbursement for the above courses from any agency or program (POST, Veterans' Administration, GI Bill, financial aid, scholarships, etc.)?  
☐ No ☐ Yes (provide name of agency or program and amount of assistance): \_\_\_\_\_

**Tuition** \$ \_\_\_\_\_  
**Required text books and materials** (50 percent estimate) \_\_\_\_\_  
**Total Advance Requested** \$ \_\_\_\_\_

Tuition reimbursement for the above courses will be approved only if the applicant agrees to and meets the following requirements:

1. Attendance is totally voluntary.
2. Attendance is outside the applicant's regular working hours.
3. Applicant understands the course is not required by the City and nonattendance will not affect the applicant's present working conditions or continued employment.
4. Applicant will not perform any productive work for the City during attendance at course.
5. Applicant understands and agrees that any injury incurred during attendance at or while traveling to and from education courses is not compensable under workers' compensation.

I have read and agree to the above requirements. In the event that I fail to meet the requirements as specified above, I authorize the deduction of the above amount of advance payment from any funds due me at the time of default.

☐ Approved

☐ Disapproved

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Department Director

\_\_\_\_\_  
Date

**Form B****Tuition Reimbursement Application —Advance Payment****Part II —Request for Tuition Reimbursement**

**Nonreimbursable costs and fees:** Matriculation fees; test fees (except high school GED); costs for damages or lost items; parking fees; insurance fees (except state health insurance); parking fees, thesis reproduction costs; optional costs or fees; fees of a personal or self-incurred nature.

**Remember** to attach all receipts and transcripts or grade cards and to submit for reimbursement only for the courses that have been successfully completed.

	<u>Amount Expended</u>	<u>Amount Approved</u>
<b>Tuition</b> (attach receipts and transcript or grade card)	\$ _____	\$ _____
<b>Required text books and materials</b> (attach receipts)	_____	_____
<b>Other reimbursable expenses</b> (attach receipts with explanation)	_____	_____
<b>Less requested advance payment</b> received	( _____ )	( _____ )
<b>Totals</b>	\$ _____	\$ _____

☐ Approved

☐ Disapproved

 \_\_\_\_\_  
Signature of Applicant

 \_\_\_\_\_  
Date

 \_\_\_\_\_  
Department Director

 \_\_\_\_\_  
Date

<b>Subject:</b> <b>Donation of Time to An Employee</b>	<b>Number:</b> 6-12
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> <b>City Manager</b>	<b>Approved:</b>

## Purpose

To establish a procedure whereby City employees may donate vacation, holiday time, administrative leave, or compensating time off to an employee who has exhausted his or her sick leave, vacation and other paid leave due to illness or injury (non-job related) or the illness or injury of a member of his or her immediate family and who has a reasonable expectation of returning to work.

## Procedures

The following criteria shall be used in determining whether or not donation of time shall be allowed:

1. The employee, or a member of his/her immediate family, must be suffering from an illness or injury (e.g., vehicle accident, surgery, etc.) and not from one- or two-day incidents of flu or other short-term disorders. The employee must expect an absence of two or more weeks after exhaustion of paid leave. The expected term of absence must be verified by a physician.
2. If the employee is ill or injured, there must be an expectation that the employee will return to full duty, as verified by a physician.
3. The time donated shall not be used by an employee in order to vest in the Retirement System.
4. Time donated shall be accrued so at least 40 hours (see "1" below) is received in the first pay period of the month to be eligible for Health and Welfare coverage. If less than 40 hours are received in the first pay period of the month, no contribution for the applicable health plan shall be made by the City for that calendar month.

The following regulations apply to the use of donated time:

1. The employee must exhaust all of his/her accumulated or available sick leave, vacation, compensating time off, administrative leave and holiday time before being eligible for donated time.
2. Only vacation, compensating time off, administrative leave and holiday time may be donated, in units of one hour or more.
3. The value of the time donated shall be converted to the value of the time used, to provide an equivalent hourly rate.

4. Any donated time not used shall not be returned to any person having donated the time, unless the employee's absence is later determined to be covered under Workers' Compensation regulations. In such case, the employee's compensation shall be adjusted pursuant to the appropriate Workers' Compensation regulations, and the donated time returned to the donating employees.
5. Divisions are required to submit to Finance all available donated time for full pay periods. Time donated that is received by Finance after the pay period deadline will be applied to the next pay period.
6. One person in the employee's department shall coordinate the use of donated time and assure that the donated time is properly administered, including sending completed donation cards to Finance and preparation of the worksheet.

Employees or employee organizations requesting that another employee become eligible for receipt of donated time must use the following procedure:

1. Submit a request on the form provided herein to the department director.
2. The department director reviews the request and recommends approval or denial of the request to the Chief Administrative Officer, according to the provisions included herein.
3. The Chief Administrative Officer, or his representative, shall approve or deny the request.
4. If the request is approved, a copy of the completed request form shall be sent to the Finance Division for processing.

5

Authorization to Adjust and Reduce Vacation, Holiday, Compensating Time Off or Administrative Leave Hours forms must be received five days before the end of the pay period to be applied to that pay period.

**CITY OF FRESNO**  
**REQUEST FOR DONATION OF TIME TO ILL EMPLOYEE**

Employee's Name: \_\_\_\_\_ Social Security No. \_\_\_\_\_  
Employee's Division: \_\_\_\_\_  
Nature of Illness: \_\_\_\_\_

Expected Duration of Illness: \_\_\_\_\_  
Date employee is expected to return to work: \_\_\_\_\_

I have examined this patient and hereby certify that the medical portion of this form is accurate to the best of my knowledge.

\_\_\_\_\_  
Attending Physician Date

**(To be completed by division Payroll Clerk)**

Employee's Leave Balances as of: \_\_\_\_\_

Sick Leave:	_____	
Vacation:	_____	
Compensating Time Off:	_____	
Administrative Leave:	_____	Anticipated Donation
Holiday Time:	_____	of Time Needed: _____

**RECOMMENDATION OF DEPARTMENT DIRECTOR:**

\_\_\_\_\_ I recommend approval of the request for donation of time.  
\_\_\_\_\_ I recommend that the request be denied.

\_\_\_\_\_  
Department Director Date

**ACTION OF CITY MANAGER:**

\_\_\_\_\_ Approved  
\_\_\_\_\_ Denied

\_\_\_\_\_  
City Manager (or designee) Date

**AUTHORIZATION TO ADJUST AND REDUCE VACATION, HOLIDAY,  
COMPENSATING TIME OFF, OR ADMINISTRATIVE LEAVE HOURS**

I, \_\_\_\_\_, the undersigned, hereby authorize and direct the Controller of the City of Fresno to adjust and reduce my accrued:

- |                                  |       |             |
|----------------------------------|-------|-------------|
| 1. Vacation Leave Balance        | _____ | hours       |
| 2. Holiday Leave Balance         | _____ | hours       |
| 3. Compensating Time Off Balance | _____ | hours       |
| 4. Administrative Leave Balance  | _____ | hours       |
|                                  | _____ | Total Hours |

The hours reduced are to be applied to a special fund as a contribution for the purpose of maintaining salary and benefits for City employee \_\_\_\_\_. This authorization is in accordance with CAO approval.

SOCIAL SECURITY NUMBER \_\_\_\_\_

DEPARTMENT \_\_\_\_\_

DIVISION \_\_\_\_\_

SIGNATURE OF EMPLOYEE \_\_\_\_\_ DATE \_\_\_\_\_



<b>Subject:</b> Administration of Administrative Leave	<b>Number:</b> 6-13
	<b>Date Issued/Revised:</b> July 1, 1999
<b>Responsible Department:</b> City Manager	<b>Approved:</b>

## Purpose

To establish uniform rules, regulations and procedures for the administration of Administrative Leave for management employees.

## Policy

The Salary Resolution provides the authority for the granting of Administrative Leave. It also authorizes the Chief Administrative Officer to establish rules and regulations regarding the administration of this leave.

## Procedures

1. Initial 48 Hours.
  - a. A balance of 48 hours (67 hours for Battalion Chiefs) of administrative leave shall be credited as of the first day of the first full pay period in July of each fiscal year for employees permanently appointed to positions in classes that are included in the Management and Confidential group, who are not entitled to payment for, or equivalent compensatory time off for, overtime work.
  - b. Upon employment by the City, new employees appointed to such positions shall be credited with four hours of administrative leave for each full calendar month remaining in such appointment in the fiscal year.
  - c. Employees provisionally appointed to such positions shall receive four hours of administrative leave for each full completed month of the provisional appointment. After such appointment expires, if the employee is not authorized the accumulation of administrative leave in his or her permanent position, the employee shall have 30 days in which to take the administrative leave or request compensation for it.
  - d. Employees granted administrative leave may take such leave, or be compensated for such leave, at any time during the fiscal year. An employee may not request compensation for administrative leave more than twice in one fiscal year.
  - e. Any administrative leave not taken or compensated for shall not be added to the leave credited in the next fiscal year.

- f. Department directors shall authorize the taking of administrative leave within their departments, subject to the convenience of the department. Approval by the Chief Administrative Officer must be obtained before a department director may take such leave.

2. Administrative Leave for Superior Performance

- a. A department director, with the approval of the Chief Administrative Officer, may grant not more than an additional 32 hours administrative leave to those management employees whose performance in the fiscal year prior to the granting of such leave has been superior.
- b. Each department director shall prepare a list of management and confidential employees in the department who are recommended for up to 32 hours of additional administrative leave per year.
- c. For each employee, the department director must prepare a performance evaluation that justifies the granting of such leave.
- d. Information required under 2c above must be submitted to the City Manager's Office not later than June 1 of each year for leave to be granted for the subsequent fiscal year. Any additional administrative leave will be approved effective July 1.
- e. This additional leave cannot be cashed in by employees.
- f. Employees not otherwise eligible for administrative leave who are provisionally appointed to permanent positions in classes eligible for administrative leave, and new employees, shall not be granted any part of this additional administrative leave.
- g. Any such leave not taken at the end of the fiscal year shall not carry forward to the next fiscal year.

<b>Subject:</b> Executive Compensation	<b>Number:</b> 6-14
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> City Manager	<b>Approved:</b>

## Purpose

To establish rules and regulations regarding administration of the E-range Compensation Plan.

## Procedures

Pursuant to Resolution No. 80-388, the following rules and regulations are established for the E-range Compensation Plan.

### 1. General Provisions

- a. Each class in the E-range Compensation Plan (E-1, E-2, and E-3 salary ranges including P&F ranges) shall have a control point established and maintained by the Chief Administrative Officer in consultation with the affected department directors. Classes created and placed in the E-range Compensation Plan after the effective date of this Administrative Order shall have a control point established upon creation of the class. For purposes of the E-range Compensation Plan, a control point is the highest salary that an incumbent in a class may receive, except for merit-based salary increases discussed below. Control points are established by the Chief Administrative Officer, using external salary comparisons and internal salary relationships. Control points for Police and Fire E-range classes are determined pursuant to Charter Section 809.

Note: While there are no “steps” in the E-ranges, a control point may be considered to be similar to a theoretical “E” step in classes with pay ranges.

- b. General adjustments shall be accomplished by movement of the control point for the class in the amount approved by the City Council as a cost of living adjustment. Employees’ salaries shall move in relation to the control point (the percentage authorized by City Council), unless determined otherwise by the Chief Administrative Officer due to less than satisfactory performance.
- c. The “E” salary ranges (E-1, E-2, E-3, and E-P&F) are established and adjusted by the City Council by resolution.
- d. For purposes of this Administrative Order, the terms “position” and “class” shall have the meanings contained in FMC Section 2-1601.1. “Cost-of-Living Increase,” “Equity Increase,” and “Merit Increase” are defined as follows:

- (1) Cost-of-Living Increase: An across-the-board percentage change in salaries approved by the City Council. Also known as a "general increase."
- (2) Equity Increase: A change in the control point for an E-range class or an increase in the salary range for non-E-range classes, apart from or in addition to a cost-of-living increase. An equity increase may be justified based upon organizational changes, internal comparisons or external data. An equity increase affects all incumbents in a class.
- (3) Merit Increase: A salary increase within the established range granted to an individual whose performance regularly exceeds job standards for that class. It has no effect upon the range and/or control point for the class.

## **2. Recruitment**

- a. Department directors may request review of the control point for a class whenever a position in the class is vacant and recruitment is to occur.
- b. A person appointed to a position in a class in the E-range Compensation Plan shall receive at least the beginning salary of the "E" pay range for the class, and no more than the control point in effect at the time of appointment.

## **3. Promotion**

- a. A City employee promoted to a position in a class in the E-range Compensation Plan normally shall receive a ten percent increase but not more than the control point for the class. A promotion is defined as an appointment to a position in a class with a higher control point, or with a control point higher than the "E" step of the class from which the employee is appointed. Interim appointments and acting pay assignments shall be treated as promotions for purposes of salary placement in the new class.
- b. Employees newly appointed to positions in classes in the E-range compensation plan shall be evaluated on their performance according to the attached performance evaluation plan. After six months from original appointment in the class, and with satisfactory performance evaluations, the appointing authority may grant an increase in salary of not more than five percent, but not exceeding the control point for the class. After one year from original appointment, with a satisfactory performance evaluation, the appointing authority may grant an increase in salary of not more than five percent, and not exceeding the control point of the class. A salary increase of more than five percent, or an increase that would place the employee above the control point, requires written Chief Administrative Officer approval.

## **3. Annual Performance/Merit Reviews**

- a. All employees in positions in an E-range shall be evaluated annually using the attached performance evaluation process.

- b. On an employee's anniversary date, the department director may grant a merit increase of not more than five percent and not exceeding the control point, based upon the annual performance evaluation.
- c. For each class in an "E" pay range (not including F&F E-ranges), there are established three merit/performance levels—M-1, M-2 and M-3. The M-1 level is five percent above the control point for the class; the M-2 level is five percent above M-1; the M-3 level is five percent above M-2. Performance evaluated as "outstanding" as part of the annual performance evaluation, may warrant a merit/performance increase of up to one "M" level. Chief Administrative Officer approval is required for any salary increase that places an employee above the control point. an increase to the M-1 or M-2 level becomes a permanent part of the employee's salary (subject to loss of the level if the employee's performance no longer justifies the "M" level); an increase to the M-3 level shall be for up to one year, but may be granted again in subsequent years based upon additional outstanding performance. In summary, the M-1 and M-2 levels remain in effect unless eliminated by a specific action based on a lack of appropriate performance; M-3 may only be maintained by an annual positive action.
- d. Time spent on vacation, sick leave or administrative leave shall not reduce any salary due under this plan. Time spent on leave due to a work-related injury shall be subject to the rules applicable to Workers' Compensation; however, placement at the M-1, M-2 or M-3 level shall be counted toward the percentage of pay received under the injury leave provisions.
- e. Anti-compaction pay shall be as provided in the salary resolution.

## **PERFORMANCE APPRAISAL SYSTEM**

1. Each unclassified permanent management and confidential employee shall be evaluated annually using the performance appraisal system and forms established herein. Newly hired and promoted employees shall be evaluated after six months from appointment, after twelve months, and each twelve months thereafter.
2. The performance evaluation form shall be completed in its entirety for each employee being rated. For each trait to be evaluated, space is provided for comments; additional pages for comments may be attached. Comments must indicate the scope and quality of the work evaluated by the trait. Be specific and provide detail justifying the rating given. Generalities are not sufficient. The forms will not be accepted by the Chief Administrative Officer without these comments. If a specific trait or factor does not apply, strike through the trait or factor and explain the circumstances in the comment.
3. Before completing rating forms, read all instructions, guidelines and tips for raters. When the performance appraisal form is completed, the employee's supervisor shall discuss the appraisal with the employee. Included in the discussion shall be the reasons for the rating, whether or not the employee meets, exceeds or fails to meet the standards, and suggestions for improvement. The supervisor shall sign the form as having made the rating and discussed it with the employee. The employee shall sign the form as having seen the rating, as having discussed the reason for the rating, and as agreeing or disagreeing with the rating. The employee shall have the opportunity to respond in writing and shall receive a copy of the completed rating sheet.
4. An E-range Management/Confidential employee who is not satisfied with the results of the discussion held with the supervisor may request a review of his/her rating by his/her department director. Such review shall include the employee and the employee's supervisor. This review may include the Chief Administrative Officer or his/her designee, if applicable. No further review is provided.

## **RATING CATEGORIES**

### **Outstanding**

This rating is earned by employees who perform in a truly outstanding manner. These employees frequently far exceed expected goals and objectives within expected time frames. These employees consistently perform very well in complicated tasks with little supervision. These employees display creativity and dedication that sets them apart from other employees.

### **Superior**

This rating is earned by employees who perform in a superior manner. These employees consistently perform at a level superior to what would be expected given the resources at their command in a fashion superior to most individuals in similar positions. These employees often exceed reasonable goals and objectives within expected time frames. These employees are self-starters and can be relied upon to complete assignments with little supervision.

### **Satisfactory**

Employees in this category meet the requirements of their positions with acceptable quality work. These employees are able to establish and meet reasonable goals and objectives. They complete work projects and assignments with some involvement or assistance from the supervisor. Few significant management problems arise in this employee's area of responsibility and those that do occur are resolved by the employee and the supervisor. Most employees are likely to fall in this group.

### **Improvements Recommended**

Employees in this category do not perform in a satisfactory manner. Generally, the employee's supervisor must be involved in this individual's projects to ensure adequate performance. Serious or continuous minor management problems exist in areas of this employees' responsibilities. Employees in this category fail to meet some or all planned goals and objectives.

### **RATING TIPS**

1. Disregard your general impression of the employee and concentrate on one trait at a time. It will help to do this if everyone is rated on each trait separately before going on to the next.
2. Rate an employee on his/her typical performance during the past year. Do not be influenced by unusual instances that are not typical of his/her work.
3. Ratings must be based on facts.
4. Do not be influenced by previous ratings.
5. Several of the traits on this form are related; however, when rating an employee on a trait, try to disregard the ratings given to him/her on other traits.
6. Remember that the best employee may have a few weaknesses while the poorest employee may have a strong point. The evaluation should reflect these.
7. Disregard the importance of the job when rating. Consider only how well the person is doing that assigned job.
8. If a trait does not apply or the employee has not been observed in this area, do not guess. Write in the "Comments" section "Not Observed" or "Not Applicable."



Employee Rated:

Title:

Department:

CITY OF FRESNO  
PERFORMANCE EVALUATION FORM

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**Rating Section**

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<u>Trait</u>	<u>Needs Improvement</u>	<u>Satisfactory</u>	<u>Superior</u>	<u>Outstanding</u>
<b>Use of Resources</b>  Uses available resources effectively including staff, other City and non-City personnel, material and information on hand or available. Obtains maximum results from available resources.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Leadership</b>  Directs, motivates, corrects, trains, and disciplines effectively. Inspires confidence through job knowledge and ability to motivate. Uses positive methods to achieve results through subordinates.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Technical Knowledge</b>  Is well versed and well informed about the technical aspects of the job. Understands the practical and theoretical aspects of the job.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Quality and Quantity of Staff Work</b>  Produces work that is comprehensive in scope, timely, and complete in detail. Produces work that is free from mistake or error. Produces a quantity of work appropriate to the job.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Initiative</b>  Is a self-starter and is not self-limiting. Acts independently without specific instructions; does not always require specific instructions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Judgment</b>  Understands and, to the extent possible, can determine the consequences of particular actions; ability to select the alternative leading to the desired consequence; good sense.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Interpersonal Relations</b>  Works well with subordinates, peers, supervisors, and the public; establishes an effective working relationship with representatives of other agencies and organizations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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**Rater's Section**

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Disregarding the importance of the job in your department, this person's overall rating is:

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Date \_\_\_\_\_ Rater \_\_\_\_\_ Title \_\_\_\_\_

Employee Rated:  
Title:  
Department:

**Employee Section**

I understand that my signature indicates that I have had the opportunity to review the completed form and a supervisor has discussed my appraisal with me.

Date \_\_\_\_\_ Signature \_\_\_\_\_

**Department Director Review Section**

This employee is prepared for:	(Circle choice)	<u>Unprepared</u>		<u>Very Prepared</u>				
	More complex/challenging assignments				1	2	3	4
					5			
	Promotion	1	2	3	4	5		

Date \_\_\_\_\_ Signature \_\_\_\_\_

**Comments Section**

<b>Subject:</b> Department Director Performance Appraisal & Planning Program	<b>Number:</b> 6-15
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> City Manager	<b>Approved:</b>

## Purpose

To establish a department director performance appraisal and planning program and the basis for a pay-for-performance plan.

## Policy

Performance evaluation is a powerful tool for improving the management process and employee performance. This program allows the staff to assist in the definition of the quality of work and then to produce it. It can help to improve planning and communication. It can also lead to greater participation in management activities.

Performance evaluation is technically a "Management By Objectives" (MBO) system for setting program objectives and evaluating employee performance. Through performance evaluation, Department Directors and the Chief Administrative Officer can discuss and agree on job expectations (major work objectives) and quality goals (performance indicators), and then work together toward their accomplishment. This program also allows for review and discussion of other general performance dimensions, which also maybe a part of each director's job. The purpose of this program is to reward good performance and to identify performance that requires improvement early so that corrective measures may be instituted.

Good performance evaluation benefits managers, supervisors, employees, and the City. Clear expectations and improved communication can only help to better achieve our missions.

## Procedures

There are three parts to the evaluation form that are utilized in the execution of the Department Director Performance Appraisal and Planning Program. Part I is titled "Major Work Objectives and Performance Indicators." Part II is titled "General Performance Factors." Part III is the "Performance Summary and Recommendations."

Briefly, the process requires each department director to review his/her departmental objectives and performance criteria; have them typed onto the performance appraisal form for the forthcoming evaluation period; and, with the Chief Administrative Officer, discuss and negotiate expectations on these objectives and their measures of success in addition to those specific general performance factors that are uniformly defined but do not necessarily pertain to each director. Thereafter, the Chief Administrative Officer meets semi-annually with each director to discuss progress, changes in objectives or performance indicators, and other related performance concerns. At the end of the

evaluation period, the Chief Administrative Officer rates each director and comments on each of the rating dimensions. He/she then discusses his/her perceptions with each director. Lastly, he/she completes a final report with recommendations.

## **1. Major Work Objectives & Performance Indicators**

Part I of the form is used to:

- a. Record the major work objectives to be accomplished during the next review period.
- b. Record the performance indicators to be utilized to measure the accomplishment of the major work objectives.
- c. Review progress in this area.
- d. Rate performance in this area.

### **Beginning of the Performance Rating Period**

By a deadline established by the Chief Administrative Officer, each department director must list the objectives and the corresponding performance criteria, and place them in the appropriate section of the form in Part I. These statements are intended to be the focus of discussion between the Chief Administrative Officer and each director about each of their respective expectations for "success" during the next evaluation period.

After the department director has completed Part I, he/she should keep a copy and send the original to the Chief Administrative Officer. The Chief Administrative Officer will then schedule a time for a discussion of the objectives and performance indicators. At this time changes may be made. It is recognized that this is a time for dialogue and negotiation on disagreements. However, the Chief Administrative Officer determines the final objectives and measures of performance. If changes are made to that which was originally submitted, Part I should be retyped, and a copy sent to the department director. The final agreed version of Part I will be utilized for the performance evaluation.

### **Review of Progress**

The progress review phase is the key link in the development of the director toward refining objectives, and in improving performance. During the progress review phase, the director provides information on actual performance and discusses with the Chief Administrative Officer the conditions under which performance was achieved. The two working together look for ways to improve work conditions, the methods being used, and if necessary, the knowledge, skills, and abilities of the director.

During the discussions of accomplishment, every opportunity should be made to determine those factors that interfere with higher achievement. Bottlenecks in work flow should be explored and corrective actions investigated. Frequently, items requiring further inquiry will be uncovered. These could be subjected for productivity studies.

During this dialogue, both parties should be able to identify those areas where more knowledge or skill could be helpful toward the accomplishment of the objectives. This information is used to refine the Department Director's self-development plan.

This time together provides an occasion for both parties to build an atmosphere and relationship useful in communications throughout the year. As the director finds the Chief Administrative Officer assisting in solving problems and suggesting ways to accomplish the objectives, he/she can better identify with the need for open communications.

The progress review is also useful in discovering those objectives and indicators that are poorly written. When it is found to be hard or impossible to measure, the performance indicator should be revised. Frequently, when performance falls far above or far below the target level, it is because the original targets were not realistically set and they should be reestablished. As each job responsibility and indicator is discussed, careful attention should be given to the work objectives to determine if they are still proper for the job under the current conditions.

This discussion is extremely important to both the department director and the Chief Administrative Officer in defining the conditions under which the performance was achieved. The Chief Administrative Officer must determine if the conditions surrounding the performance were an asset or a liability toward performance. He must know if work conditions were under the control of the director and how he/she attempted to influence them.

A review of progress is conducted semiannually. The final evaluation, which is conducted at the close of the fiscal year, serves as an aid in developing the plans for the next year and as a basis for setting salaries. New responsibilities and performance indicators may be designed to respond to new issues and problem areas.

### **End of Appraisal Period**

Prior to assigning a rating, the Chief Administrative Officer obtains all of the information possible that supports the rating. This may include notes written during the review of progress or during the entire rating period, and further discussions with or communications from the department director.

A rating in pencil is made and a copy sent to the department director, which will serve as a basis of discussion during the formal performance appraisal interview.

During the formal performance appraisal interview, there should be a full understanding as to why a rating was assigned, particularly if performance is "below requirements." This is also the time to point out strengths and areas of exceptional performance. If there is additional information, which would warrant a change of the rating, the Chief Administrative Officer should note it and change the rating accordingly.

After a full discussion with the director, the Chief Administrative Officer has the rating typed onto the original form.

## 2. GENERAL PERFORMANCE FACTORS

Part II of the Managerial Performance Appraisal and Planning Program is comprised of a set of general performance factors under which all of the department directors may be evaluated. There may be a factor or factors that legitimately may not be evaluated for a particular department director, and these can be noted in the appropriate space.

Part II of this form is to be used to:

- a. Determine the general performance factors that will be evaluated during the next review period.
- b. Review progress for the factors in this section.
- c. Rate performance for the factors in this section.

### **Beginning of the Performance Rating Period**

The Chief Administrative Officer determines which performance factors will be evaluated during the review period. Those that do not apply must be so indicated on the form. A copy of Part II of this form is given to and discussed with the director at the same meeting wherein the work objectives in Part I are established. There should be a clear understanding of which factors will be evaluated and which factors will **not** be evaluated during the review period.

### **Review of Progress**

The same guidelines utilized in reviewing the progress for the major objectives and performance indicators are appropriate for this section and are to be utilized. Notations during the review phase are written in the "comments" section of the form. A review of progress will be scheduled semiannually.

### **End of the Appraisal Period**

Again, the same guidelines utilized in rating the major work objectives and performance indicators in Part I are to be utilized in Part II. One difference between the two is that in this part there are two additional rating criteria—"outstanding" at the top of the scale, and "unsatisfactory" at the bottom of the scale—which can be used to rate performance.

## 3. PERFORMANCE SUMMARY RECOMMENDATIONS

Part III is to be utilized at the end of the appraisal period for recording whether or not performance is satisfactory and, if appropriate, the granting of a salary increase. Also, the Chief Administrative Officer can opt to postpone the final review.

At the end of the rating period, the Chief Administrative Officer reviews all of the information in Parts I and II, and checks and/or completes the appropriate lines on this part of the form.

After the department director has reviewed his/her ratings, and signed the form, the employee is provided a copy and the original is placed in his/her personnel file. When salary adjustments are required the Chief Administrative Officer will notify the Director of Administrative Services who will assure that prompt and proper action is initiated.

<b>Subject:</b> City Internship Program	<b>Number:</b> 6-16 <b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> City Manager	<b>Approved:</b>

## Policy

At the initiation of the Chief Administrative Officer, or at the initiation of one or more appointing authority with the consent of the Chief Administrative Officer, an employee appointed to a position in a class in Exhibit 2 of the Salary Resolution may be assigned to perform duties in another department or division, or may have his/her duties exchanged with another such employee, for the purposes of job enrichment, cross training, to provide additional assistance to one or more departments during periods of additional workload, or to take advantage of an employee's unique or special skill and experience applicable to the assignment proposed.

Such assignment(s) shall be for a period of four months, which period may be extended by, or with the permission of, the Chief Administrative Officer for an additional two months. Employees participating in the program shall continue to receive the salary and benefits associated with and from the class and position to which normally assigned.



<b>Subject:</b> Holiday & Vacation Payoff for Unforeseeable Emergency	<b>Number:</b> 6-17
	<b>Date</b> <b>Issued/Revised:</b> March 4, 1999
<b>Responsible</b> <b>Department:</b> City Manager	<b>Approved:</b>

## Purpose

To provide a one-time opportunity for employees to cash out a portion of their accrued holiday and vacation leave, in the event of an unforeseeable emergency.

## Procedures

In the event of an unforeseeable emergency, as described below, an employee may request a one-time payoff of up to 200 hours of accrued holiday or vacation leave, subject to the approval of the City Manager.

For purposes of this order, an unforeseeable emergency is a severe financial hardship resulting from a sudden and unexpected illness or accident of the employee or dependent; loss of employee's property due to casualty; or other similar extraordinary and unforeseeable circumstances arising from events beyond the control of the employee. The decision of the City Manager as to whether or not an event meets this criteria is final.

The requested payoff shall exhaust all hours of accrued holiday leave before accrued vacation leave is eligible for payoff. The total number of hours requested shall not exceed 200.

<b>Subject:</b> <b>Communication With City Manager' s Office Regarding Audits of City Departments</b>	<b>Number:</b> 6-18
	<b>Date Issued/Revised:</b> <b>August 1, 2000</b>
<b>Responsible Department:</b> <b>City Manager</b>	<b>Approved:</b>

## Purpose

To establish a uniform policy for communicating to the City Manager' s Office a department' s involvement in audits other than audits performed by the City of Fresno' s (City' s) Internal Audit Program.

## Policy

It is the policy of the City that the City Manager' s Office, specifically the City Manager and Internal Audit, will be immediately notified of all audits (of any type) performed by persons other than Internal Audit staff. Further, the City Manager and Internal Audit will be kept current on audit results and receive copies of all documents provided to the City by the outside auditors, as well as the City' s response to the audit findings.

## Procedures

1. Upon notification of the intent to audit by the outside auditor, the department will forward all information received to both the City Manager and the Principal Internal Auditor. This information should include, but is not limited to, the agency/organization performing the audit, the audit representatives, the reason for the audit, audit period, and when the audit will take place. The department will also provide the name of the department staff who will be the primary contact for the audit.
2. Throughout the audit, the department will keep the City Manager and the Principal Internal Auditor informed of audit findings that are deemed significant.
3. Internal Audit will provide the department assistance in the form of advisory services during the audit, as needed.
4. At the conclusion of the outside audit, copies of all documents supporting the audit findings provided by the outside auditor will be forwarded to the City Manager and the Principal Internal Auditor.
5. Management responses will be forwarded to the City Manager and Internal Audit for consideration and comments prior to issuance in final form. Any comments will be provided to the department for consideration in revising the original response. The final response issued to the outside auditor will be delivered to the City Manager and the Principal Internal Auditor for their files.

<b>Subject:</b> <b>Contracts for Consultant Services</b>	<b>Number:</b> 6-19
<b>Responsible Department:</b> <b>City Manager</b>	<b>Date Issued/Revised:</b> June 1, 2002
	<b>Approved:</b>

## Purpose

To establish a uniform policy and procedure for selecting consultants providing professional services.

1. Section 3-109 of the Municipal Code authorizes the City Manager, or his/her designee, to contract for all services required by the City for which an appropriation has been made, including professional services, provided the contract involves an expenditure of City moneys of less than or equal to \$50,000. Consulting services contracts exceeding \$50,000, or not meeting the requirements of Section 3-109, must be approved by the City Council.
2. The purpose of this policy is to establish certain guidelines for the selection of these consultants, so the City of Fresno may efficiently obtain the most highly qualified and competent consultants who will be best able to provide the City quality services at the best value, in a timely fashion.
3. For purposes of this policy, the term "professional consultants" primarily refers to those persons who have specialized education and considerable experience in the field. Examples of professional services include, but are not limited to, architects, auditors, certified public accountants, engineers, landscape architects, management consultants, planners, surveyors, and construction project managers.

The term "consultant" may include individuals, partnerships, corporations, joint ventures or any other combination of firms or persons competent to perform the required services.

## Procedures

### Format of Solicitations

The format may be either a Request for Qualifications (RFQ) or Request for Proposals (RFP), or a combination thereof. The suggested format includes: scope of services; qualifications and information required from consultants for selection as outlined in this Administrative Order; reference to the City's standardized contract, to local preference and, for certain federal projects, statement of the Disadvantaged Business Enterprise (DBE) goal.

## **Distribution Lists**

Departments are authorized to maintain files of names and brochures of the various consultants who have expressed a general interest in doing work for the City of Fresno, and to use such files for the purpose of mailing inquiries to various consultants as to their interest in the specific work or studies that the City may undertake from time-to-time. A list of consultants may also be maintained in the Purchasing Division. For all federally funded consulting services, departments shall contact the City's Disadvantaged Business Enterprise (DBE) Program Coordinator in the Purchasing Division for potential DBE firms.

## **Minimum Distribution Requirements of Solicitations**

- A. Over \$50,000: A minimum number of five (5) RFQs/RPFs, shall be distributed, where possible.
- B. \$10,000 - \$50,000: A minimum number of three (3) RFQs/RFPs shall be distributed, where possible.
- C. Under \$10,000: The Department Director is authorized to make a selection after documented telephone or e-mail contacts of potential interested parties.

## **Advertising**

All consulting services of \$50,000 and above shall be advertised one-time in a local newspaper of general circulation (The Fresno Bee or Business Journal) at least five (5) days before the due date of the RFQ/RFP, unless a mass mailing of 100 or more notices occurs. Departments may also consider posting on the City's website and on the websites of professional organizations, if allowed.

## **Selection Criteria**

Professional consultant services must be individually selected for a specific project based upon experience of the consultant, special knowledge of the subject matter, ability to perform the services in the time allowed, record of success on similar work, ability to operate well in the necessary discussions, presentations, coordination and cooperation related to the project, as well as fees to be paid.

The following factors may be considered and evaluated in selecting a professional consultant for a particular study or project:

1. Educational background of the consultant.
2. Relevant experience of the consultant.
3. Demonstrated record of success by the consultant on work previously performed for the City or similar work performed for others.

4. Individuals within the consultant' s organization who will have direct charge of work.
5. Whether consultant has adequate staff to perform the work within the time allowance.
6. The ability of the consultant to make effective public presentations of the report and/or design as may be required.
7. The ability of the consultant to work effectively with City staff, other public agencies, and related parties as may be required during the course of the design, study or other technical services.
8. Where appropriate, whether the consultant has adequate knowledge of local conditions.
9. Whether consultant has available experienced, capable and acceptable resource and design professional personnel as may be pertinent to the particular project.
10. Demonstrated continuing interest by the consultant in the success, efficiency and workability of the project after it has been placed in operation.
11. The record of the consultant in keeping costs within project budgets and estimates.
12. Ability of the consultant to furnish adequate and effective supervision services, where such services are an inherent part of a " package" of services for which the consultant is employed.
13. Ability to obtain applicable insurance or bonding for the project.
14. Overall costs for services, including hourly rates, level of professionals assigned, and hours to complete task.

### **Selection Process**

For all construction management, architectural or engineering services, up to and including \$50,000, the Director of the Public Works Department shall serve as the City Manager' s designee. For all other consulting services up to and including \$50,000, the Director of the requesting department shall serve as the City Manager' s designee. All contracts for professional services over \$50,000 are subject to Council approval.

To the extent possible and feasible, a Request for Proposal/Qualifications (RFP/Q) process will be used for selection. Consultants interested in a specific project may be screened if a greater number express interest than can be or should be interviewed for the work involved.

Interviews and selection for all construction management, architectural or engineering services shall be conducted by representatives of the Public Works Department and the departments that may be involved in the proposed facility. For all other types of consulting services the interview and selection shall be coordinated by the affected department having responsibility within the subject matter involved.

Where any project or study is of a special or unusual character, the City Manager may invite interested citizens and/or appoint other staff members to serve on an interview and selection committee.

All selections must comply with Fresno Municipal Code Section 3-109.1, which provides for a local preference for all projects not funded by the federal or state government. The provision generally provides a primary preference for all firms located within a 25-mile radius of Fresno City Hall, if there are three or more firms within the area that provide the specific consulting service requested.

### **Reports From Consultants for Public Access**

If the consulting service is for the purpose of producing a report or study, consultants shall make available to the City an electronic copy (PDF format) of the final product, which can be posted on the City's website for public access.

### **Monitoring Process After Selection/Award**

- A. Over \$50,000: A Purchase Order is required to encumber contracts awarded by Council.
- B. \$10,000 - 50,000: Departments will be responsible to provide written information to:
  - 1. The Purchasing Manager or designee for review that the requirements of this Administrative Order have been met and a contract has been executed; and
  - 2. The Purchasing Manager will keep a continuous log of consulting services contracts with pertinent information (such as name and address of consultant, type of services provided, and amount and date of contract).
- C. Under \$10,000: Departments shall keep their own record.

### **Exceptions**

To the extent possible and feasible, this process will be used for selection of consultants providing professional services. An RFP/RFQ process is not possible or feasible whenever a determination by the City Manager is made that the provision of services is time sensitive, an emergency exists, or services must be rendered before an RFP/RFQ process can be completed.

Such determinations will be the exception, not the rule. Each determination must be memorialized in writing and signed by the City Manager or a designated Assistant City Manager and maintained in the file for the subject contract.

<b>Subject:</b> Public Information & Media Relations	<b>Number:</b> 6-20
	<b>Date Issued/Revised:</b> January 15, 2003
<b>Responsible Department:</b> City Manager	<b>Approved:</b>

## Purpose

To provide procedures and guidelines for coordinating and disseminating information to the public on behalf of the City of Fresno. The policy will be modified and expanded as necessary.

**Statement:** The City of Fresno shall provide timely and accurate information to keep the Mayor, Council, staff and community apprised of pertinent City issues, services and events. The City shall utilize appropriate and effective means to communicate its messages to both general and target audiences. This policy contains guidelines that will achieve the City's communications objectives and facilitate a successful working relationship with the local and regional media.

## Policy

1. Fully utilize the news and special interest media, the City cable television channel, and City website as effective means of communicating with citizens and target groups (including business sector, community leaders, homeowners groups, City employees).
2. Facilitate the timely flow of public information to appropriate media through an effective internal process that maximizes message consistency and factual accuracy.
3. Educate the community about how government works and encourage citizen participation in the policy-making process.

## Procedures

1. **General Public Communications**
  - a. Letters and opinion surveys designed for mass distribution shall be reviewed by and coordinated with the City Manager's Office for content and format analysis and for placement strategies.
  - b. All printed materials (fliers, posters, signs, pamphlets, brochures, advertisements, maps, presentation materials, etc.) designed for distribution to and/or viewing by the public shall be reviewed by the Public Affairs Officer prior to printing or copying.

## 2. **Media Response Philosophy**

- a. **Timely and Accurate Responses:** The City encourages accurate press coverage of programs, events and decisions that could be of interest and impact a significant segment of the community. In this regard, the City and the media have a mutual responsibility to provide accurate, objective information of City affairs to City residents. Inquiries from the news media are to be given a high priority and be responded to as quickly and efficiently as possible, consistent with Section 5 of this policy. Every effort should be made to meet media deadlines and to ensure that all information released is accurate and messages properly developed.

## 3. **Press Releases**

Press releases are any official written or verbal announcements initiated by the City to the media regarding official City business.

- a. **Responsibility.** All media releases relative to major citywide policies and actions shall be prepared and distributed by the City Manager's Office. Other departments may prepare their own releases in the following situations:
  - (1) Police and Fire departments, when providing fast-breaking news updates regarding major police and fire activity.
  - (2) Releases relating to specific departmental activities or special event, which do not have major citywide implications.
- b. **Assistance.** Upon request, the City Manager's Office will provide assistance with media releases prepared by those above. Other departments requiring press releases or technical assistance in preparing press releases should provide the City Manager's Office with written information pertaining to the topic as well as any special distribution list.
- c. **Release Preparation & Format.** Press releases shall be prepared according to the City's established format. A master file of press releases will be maintained by the City Manager's Office. A copy of all media releases distributed by any unit outside of the City Manager's Office should be forwarded to the City Manager's Office for inclusion.

## 4. **Release of Information Pertaining to Significant Issues & Events**

- a. **Definition of Issues.** It is the responsibility of department directors to notify the City Manager of significant events or issues that occur within their department, which may be of major interest to the general public or media. Such issues include, but are not limited to:
  - (1) An event/issue in an operating department or program that is controversial.
  - (2) Injury or death of a City employee while on or off official duty.
  - (3) Major malfunctions of a City facility that could impact the general welfare of the public or environment.



- (4) An unexpected work stoppage or inability to provide a critical City service.
  - (5) The arrest or conviction of a City employee, which may impact that individual's ability in successfully carrying out his/her professional responsibility.
  - (6) Major police or fire activities.
- b. **Reporting Procedure.** Once receiving the information, the City Manager will determine if it is necessary to contact the Mayor, City Council, other department directors and the City's Public Affairs Officer. If public release of information is deemed appropriate, the City Manager, in consultation with the department director and the Public Affairs Officer, will determine the most appropriate mechanism in notifying the press.
  - c. **Back-up Procedure.** If the City Manager is unavailable, the department director should contact the Assistant City Manager, then the Public Affairs Officer directly for dissemination of information. On those occasions when neither of these individuals nor an acting City Manager is available, the department director should use his/her own judgment in releasing information to the press on fast-breaking news stories.

## 5. Who Responds to Media Inquiries

- a. **Spokesperson.** The City Manager will respond directly or designate a media spokesperson to respond to an issue of major public significance to ensure that the information is disseminated quickly and accurately to all interested media sources. When such a designation is made, the City Manager will notify the appropriate department director(s) and the Public Affairs Officer to forward all inquiries regarding the particular issue to the appointed spokesperson.
- b. **Media Contacts to Staff.** Non-management employees shall refer media inquiries to their department directors. A department director may delegate an employee to respond to an inquiry because of her/his involvement with an event or issue. In such cases, the staff member should work with the department director and Public Affairs Officer **before the interview** to develop appropriate responses to anticipated questions.
- c. **Public Safety.** The Disaster Director (City Manager or Assistant City Manager) will work with the Public Affairs Officer to develop media responses in the event of major emergencies and disasters. A more detailed description of emergency public information procedures is contained in the City's Standard Operating Procedures (SOP). For other fast-breaking stories involving a major police/fire activity, the first media contact is the Police or Fire Chief or his/her designee, followed by the City Manager, public safety liaison and the Public Affairs Officer.

Throughout the entire chain of responsibility, it is essential that each individual involved in providing information to the media is kept abreast and briefed on the status of the event as it occurs. The chain of command can be modified to expedite release of crucial information.

## 6. What to Do When Contacted by the Press

Given the City's policy to respond to media inquiries as quickly as possible, staff should give priority to media calls by alerting their respective department director of media inquiries.

- a. **Determine Nature & Focus of Story.** For those assigned to respond to media inquiries, it is important to determine the focus of the story as well as the specific information desired by the reporter. What may seem to be an "innocent" information request, oftentimes can turn out to be a front-page story, distorting the data supplied by the City. That's why it is always important to determine the reporter's focus and slant.
- b. **Notification Procedure.** Any designated staff member (management or non-management) who responds to a media inquiry, provides an interview, appears on a radio or television program, etc., shall notify the City Manager and the Public Affairs Officer, either by phone or written memo.

Regarding controversial matters, the City Manager and/or Public Affairs Officer must be consulted **before** conducting the interview. This gives the spokesperson the opportunity to review anticipated questions and to formulate and properly position appropriate responses.

Departments that have ongoing daily contact with the media are not required to follow the notification procedure for every media contact, only those that involve significant issues of concern.

## 7. Media Etiquette

There are some very important "do's" and "don'ts" that should be observed in strengthening the relations between City Hall and the local media.

- a. **Responding to Council Actions.** Designated staff should not publicly make judgmental comments regarding individual Council Members, Council actions, City administration or official City policy when responding to media inquiries. They should also refrain from anticipating an action or position that has not been formally taken by the City Council or City. Any inquiry regarding "why" an individual Council Member voted in a particular manner on a specific issue should be forwarded to the Council Member in question.
- b. **Scope of Response.** Designated staff members should not respond to media inquiries that are not directly related to carrying out their professional responsibilities. If such a media inquiry is made, they should assist the media in receiving the needed information by referring the source to the Public Affairs Officer.

## 8. Public Issues

Most city records and official City meetings are open to the public and media. The media are no more or less privileged than the general public in being provided access to City Council meetings and City records. While City operations need not be disrupted or extraordinary accommodations made to provide access to public records, it should be emphasized that adequate information

provided to the media or the public is beneficial both to the citizens and the City in carrying out its public information efforts.

- a. **Attendance at Meetings.** The media and public are encouraged to attend and report on actions taken at Council meetings, workshops, and commission meetings.
- b. **Closed Sessions.** Public and media attendance is **not** allowed at closed Council sessions dealing with litigation, security, negotiations or personnel-related matters.
- c. **Litigation Issues.** Designated staff members shall not respond to media inquiries regarding an issue involving City litigation or render personal or legal opinions on City policies or activities. If in doubt, the City Attorney should be contacted for clarification before responding to a media inquiry.

9. **Correcting Misinformation.**

The City has an obligation to clarify or correct any information released by the media that contains inaccuracies or quotes taken out of context relating to a City issue.

- a. **Factual Discrepancies.** The Public Affairs Officer shall contact the media when a story has been published or aired containing factual error that significantly impacts the public's perception of the issue being addressed. Managers are encouraged to notify the Public Affairs Officer immediately when they believe incorrect information is being communicated by the press regarding a City issue or program.
- b. **Editorial Discrepancies.** Managers should contact the Public Affairs Officer when there is evidence that a specific editorial comment or news story has been published or aired that does not appropriately represent a balanced perspective of the issue being discussed. The City Manager, in consultation with the Public Affairs Officer, will determine when an official City rebuttal or response is appropriate.
- c. **Letters to the Editor.** Department directors who believe an official City rebuttal is warranted regarding a news story should discuss the issue with the City Manager's Office. They will determine if a response is appropriate, as well as who should prepare and sign the letter. The City Manager must authorize and review all letters sent to editors on official City letterhead and/or by an employee who is acting in an official capacity commenting on city issues or programs.
- d. **Responding as Private Citizens.** City employees who choose to contact, initiate or respond to City-related news stories as private citizens shall not prepare such responses on City time, by City phones, on City stationery, or mail at City expense. If responses or letters indicate the employees' City affiliation or title, such responses or letters shall not intimate that the response is on behalf of the City. Use of City facilities or supplies is prohibited. These guidelines also apply to employees responding to or initiating press contacts as official representatives of City-sanctioned employee groups.

10. **Advertising**

- a. **Display Advertising.** The City Manager's Office coordinates development and placement of media advertising to promote City programs, services, events and issues. All requests for advertising must be submitted to the City Manager's Office, which will coordinate copy development, graphic design, and media placement with the requesting department. This policy does not apply to employment and legal advertising, which will be coordinated by the appropriate departments (i.e., Human Resources and City Clerk, respectively).
- b. **Public Service Announcement.** The City Manager's Office is the central coordinator for developing and placing public service announcements with the broadcast media (radio, TV and cable). PSA spots are announced free by the media as a community service. Two-to-three-week lead times are desired by most stations. All requests for PSAs must be submitted to the City Manager's Office, which will coordinate copy development and placement with the requesting department.

<b>Subject:</b> Citywide Dress Standards	<b>Number:</b> 6-21 <b>Date Issued/Revised:</b> November 16, 2001
<b>Responsible Department:</b> City Manager	<b>Approved:</b>

## Purpose

The City of Fresno is a large and diverse service provider for the City. Maintaining a professional appearance while serving our internal and external customers is important to our mission. This policy statement and related guidelines have been developed to promote professionalism in an office setting on a day-to-day application within the City and within its field encounters with the public.

## Policy

It is City policy that all employees assigned to an office work area must wear attire suitable and appropriate for a professional office setting. Staff assigned to field duties must wear attire suitable and appropriate for field duties.

**General Policy Guidelines:** Clothing should be clean, neat, and in favorable condition. Suitable undergarments should be worn. Personal hygiene should be practiced.

The City Manager will rely on employees to use good judgment in their day-to-day application of these guidelines within the City's office settings and within its field encounters with the public.

**Good judgment must be exercised to accomplish the professional appearance standard of this policy.**

This policy is subject to review and refinement on a periodic basis. Any questions or concerns should be brought to the attention of Department Directors.

<b>Subject:</b> <b>Parking Policy—Eligibility for Employee Parking Permits</b>	<b>Number:</b> 7-1
	<b>Date Issued/Revised:</b> November 24, 2003
<b>Responsible Department:</b> <b>Public Works</b>	<b>Approved:</b>

## Purpose

To establish a uniform policy and procedure concerning employee parking by City employees in the downtown area bounded by the two complex areas identified below. From time-to-time, various changes in parking locations in the downtown area may occur due to construction or loss of a parking lot. Employees may be moved to other parking locations as close as practical to their work location during these times. Employees will be contacted before the actual move date and briefed on parking options.

## Policy

To obtain an Employee Parking Permit:

1. An employee must have his/her permanent work site in the established downtown area.
2. An employee must request a parking permit in writing by completing the Employee Parking Permit Request Form provided by the Parking Section of the Public Works Department.
3. An employee may only obtain a permit for the parking lot zone within the employee's work site. Zone "A" is the City Hall Complex area and Zone "B" is the Water Tower Complex area.
4. At the time the request is made, if stalls are not immediately available in parking lots within the employee's work site, the employee's name will be placed on a waiting list, which determines the priority for the next available parking stall. A waiting list will be established for each employee lot in close proximity to the employee's workplace in either the City Hall Complex area, referred to as Zone "A", or the Water Tower Complex area, referred to as Zone "B". An employee can be offered a parking permit in the Stadium Lot or Boxcar Lot provided with shuttle service. The Stadium Lot is located at Kern and "H" Streets, and the Boxcar Lot is located at Fresno and "H" Streets.

## Procedures

### 1. Employee Parking Lots

#### **Zone A   City Hall Complex - Work Site: City Hall**

- "R" Lot - south side of Tulare between railroad tracks and "R" Street.
- "Q" Lot - north side of Tulare between "Q" Street and "R" Street.

**Zone B Water Tower Complex - Work Sites:** FPD Headquarters, City Hall Annex, Veteran's Building.

- "A" Lot - south side of Merced between "N" and "O" Streets, behind the Veteran's Bldg.
- "C" Lot - west of the metered Federal Lot, at "O" Street, between Fresno and Mariposa Streets.
- "N" Lot - east side of "N" Street, between Fresno and Mariposa.
- "T" Lot - north side of Tulare, between "N" and "O" Streets.

**2. Waiting List**

The Parking Section of Public Works will maintain a waiting list for each Zone area. It shall be established on a first-come, first-served basis and by the date the employee signed the Employee Parking Permit Request form. When an employee parking permit becomes available in a parking lot in a Zone area, it will be offered to the person heading the waiting list for that Zone. If the employee declines the permit, he/she will have one additional opportunity to accept a permit. If the employee turns down the permit a second time, his/her name shall be placed at the bottom of the waiting list. At the time of each denial, a Parking Permit Denial Form must be completed by the employee to establish a record of the declined permit offer.

**3. Permits**

At the time of issuance, a qualified employee will receive one (1) hang tag parking permit, a City of Fresno parking permit map, and a Rules bulletin. The employee must read and sign the Rules bulletin acknowledging receipt of this information. The hang tag permit is to be displayed in accordance with this administrative policy. The permit will be numbered and identified by lot or car pool stall.

No additional permits will be issued for secondary vehicles. The hang tag is designed for quick removal and placement in another vehicle. In the event a temporary replacement is required, one-day permits are available and may be issued for up to a maximum of one week.

If the permit is lost or stolen, an employee may purchase a replacement permit. The stolen or missing permit number will be removed from the hang tag parking permit inventory. The lot designation and hang tag number will be forwarded to parking control who will periodically inspect the parking locations and attempt to locate the missing hang tag permit.

**4. Permits for Designated Stalls**

If an employee has been assigned a designated parking stall for his/her use only, a special permit will be issued that is maintained by the responsible department. The employee must pay a monthly rental fee.

## **5. Display of Parking Permit**

The hang tag permit is valid only in the assigned lot or stall assigned. It is required that the hang tag permit be properly displayed when the employee's vehicle is parked in the assigned lot or stall, and it is the employee's responsibility to ensure that the hang tag permit is properly displayed. A properly displayed permit is as follows:

- Hang tag permits must be displayed within the vehicle on the front rearview mirror and must be visible, or on the front dash within the vehicle, on the driver's side.
- Temporary permits must be displayed on the front dash within the vehicle, on the driver's side.

## **6. Car Pool Permits**

Permits for a designated car pool stall will be assigned on a first-come, first-served basis and based upon availability. Preference will be given to car pools with three or more participants and to car pools in which all persons are City employees. In the event a car pool stall is not available, a car pool waiting list will be maintained.

Car pooling exists when one vehicle is used to transport more than one employee to his/her work location in the downtown area, a minimum of three times a week.

A car pooling arrangement may be established by completion of a Car Pool Application Form, signed by all car pool participants. The application must be submitted and approved by the Parking Manager. One designated parking stall will be assigned for the vehicles in the approved car pool and one hang tag parking permit will be issued for all participants.

City employees issued Official Vehicle Parking permits or assigned to City vehicles, or those having been issued a permit for another City lot, may not be considered part of the car pooling arrangement or assigned a car pool permit.

## **7. Fees and Charges**

City employees will pay a monthly rental fee when granted an employee parking permit or a designated parking stall. It is required that the method of payment shall be through City payroll deduction from the employee's regular paycheck. Persons under contract with the City who are not paid through the City's payroll system must pay the monthly fee directly to the Parking Section of Public Works at the beginning of each month's use. All parking permit fees will be established by the City Council, provided, however, that the effective date of any new monthly fee shall be the first of the month following Council action.

## **8. Failure to Display Parking Permit**

Vehicles without valid, properly displayed parking permits are subject to citation under Section 10-1014 of the Fresno Municipal Code, or to payment of a penalty fee in the amount established in the Master Fee Schedule. For citations issued, each employee shall be allotted one void under administrative action when cited under this section for failing to display parking permits. Any violation of this section over the one void allocation will result in administrative fine and/or loss of parking permit privileges.



**9. Non-transferability**

Parking permits are non-transferable, may not be traded or sub-leased, and are for the employee's use only.

**10. Relinquishment of Employee Parking Permit**

A parking permit hang tag is City property and employees are required to turn in the hang tag permit upon separation from City employment, or when an employee becomes ineligible according to this administrative policy. The hang tag permit must be turned in to the Parking Section of the Public Works Department, and the employee must complete the appropriate form to discontinue payroll deduction for parking fees.

**11. Non-eligibility**

City employees assigned a City vehicle on a permanent or overnight basis are not eligible for employee parking permits nor are they allowed to park this vehicle in a City employee parking lot. City employees who are authorized to use their own vehicles on City business and are provided with an Official Vehicle Parking permit are not eligible for employee parking permits. City employees having work areas outside of the downtown area are not eligible.

**12. Loss of Parking Privilege**

Any employee not abiding by these procedures or any parking regulations established by the City Manager may, upon the recommendation of the Public Works Director and Parking Manager, and with approval of the City Manager, lose all employee parking privileges.

**13. Relocation of Permittee**

The Public Works Director and/or the Parking Manager, or his/her designee, reserves the right to relocate permittees from one lot to another lot, but will do so only with due cause and will attempt to do so on the basis of seniority in a lot, or seniority on the waiting list.

**14. Relocation of Permittees Due to Loss of Parking Facility**

The Public Works Director and/or the Parking Manager, or his/her designee, will attempt to relocate permittees from a lot that is being taken out of service, into a lot as close as possible to the permittee's assigned work location. Care shall be taken to ensure that seniority of the person in the parking program is maintained and utilized in the decision making when establishing the new location of placement of the permittee.

<b>Subject:</b> Parking Policy—City Parking Facilities	<b>Number:</b> 7-2
<b>Responsible Department:</b> Public Works	<b>Date Issued/Revised:</b> October 30, 2003
	<b>Approved:</b>

## Purpose

To establish a uniform policy regarding City employees parking in City-owned, privately operated parking garages and lots, the Convention Center lot, and on the street.

## Policy

No vehicle operated by a City employee is exempt from restrictions imposed by a passenger loading zone, commercial loading zone, alley loading zone, handicap zone, or other restrictive curb controls, except City vehicles marked police, fire, or emergency type vehicles. City parking enforcement vehicles may park in these zones for short periods while enforcing in the immediate vicinity.

All City employees are subject to the standard parking fees when parking at meters or utilizing the City-owned, privately operated off-street parking facilities in the downtown area and the Convention Center facilities, except as follows:

1. Only vehicles with “E” license plates, Official Vehicle Permits, or Parking Permits issued by the Parking Division of the Public Works Department are exempt from paying for parking at meters on the street or in off-street parking lots when being used for City business. They can be parked indefinitely in the off-street garages and lots when being used for City business and away from their normal parking area.

<b>Subject:</b> <b>Official Vehicle Permit Program</b>	<b>Number:</b> 7-3
	<b>Date Issued/Revised:</b> <b>October 30, 2003</b>
<b>Responsible Department:</b> <b>Public Works</b>	<b>Approved:</b>

To establish a uniform policy and procedure, and the method to be used to issue Official Vehicle Permit (OVP) parking permits to City of Fresno employees, while conducting City business.

Official Vehicle Permits may be issued to employees when assignment of a City vehicle is not feasible, they meet the established criteria, and only for conducting City business.

#### **Criteria for Determining Eligibility for Official Vehicle Permits**

1. The Mayor and three (3) Staff Assistants.
2. All members of the City Council and one (1) Council Assistant per district.
3. All Department Directors.
4. City of Fresno Redevelopment Director and Administrator.
5. City employees using personal vehicles for official business and compensated pursuant to Administrative Order 2-2, Categories 1, 2 and 3 (excluding 4). The following summarizes the categories under this Administrative Order:

Category 1: The City Manager receives a transportation allowance under Category 1 of the Private Vehicle Rental Program.

Category 2: Assistant City Managers, Department Directors, Assistant Department Directors, Division Managers, Section Supervisors responsible for 24-hour service functions, primary staff representatives to governmental bodies or community organizations requiring numerous off-hour meetings, and individuals responsible for work sites involving excessive mileage, frequent evening, weekend and early morning inspection travel.

Category 3: Employees whose work assignments include full-time duties requiring them to frequently travel between crews or work sites, but not requiring frequent off-hours travel, and who may be directed to use their personal vehicles in the conduct of City business.

Those employees meeting the criteria of Category 4 can be authorized an OVP only with the written approval of the City Manager. The following information summarizes Category 4:

Category 4: Employees who occasionally travel to conduct official City business, not having access to division vehicles or pool vehicles, can be directed to use their private vehicles and be reimbursed. If mileage exceeds 600 miles per month for City business, reassignment to Category 2, should be considered.

Employees qualifying for Official Vehicle Permits pursuant to the criteria in this Administrative Order will complete the Official Vehicle Permit application.

The City Manager's Office will authorize Official Vehicle Permits for members of the City Council, Council Assistants, Department Directors, and others deemed necessary.

Employees qualifying and approved for an Official Vehicle Permit will pay a monthly rental fee, as fixed by the Master Fee Schedule. The method of payment will be a payroll deduction from the employee's regular paycheck; a Payroll Deduction form and Official Vehicle Permit application must be completed in order for the Public Works Parking Manager to issue or reissue a valid permit. Employees from outside the downtown area who visit downtown offices may be provided a Visitor's permit in lieu of the Official Vehicle Permit.

Official Vehicle Permits are considered City property and, if an employee separates from City employment, it is required that the permit be turned in to the Parking Section of Public Works prior to or on the employee's final work day.

If an employee's eligibility changes, the Official Vehicle Permit must be turned in to the Parking Section of Public Works and the employee must complete the payroll form to cancel the parking fee deduction.

Vehicles without valid, properly displayed permits are subject to citation under Section 10-1014 of the Fresno Municipal Code, or payment of a penalty fee in the amount established in the Master Fee Schedule.

In the event a parking stall is not available in a City lot, a permit holder may park in a metered space. At no time shall Official Vehicle Permit holders be authorized to park in Media or Car Pool parking stalls.

<b>Subject:</b> <b>Parking Policy—Visitor Temporary Permits</b>	<b>Number:</b> 7-4
	<b>Date Issued/Revised:</b> October 30, 2003
<b>Responsible Department:</b> <b>Public Works</b>	<b>Approved:</b>

## Purpose

To establish a uniform policy and procedure for parking visitors, volunteers, contractors, consultants, commission/committee members, and City staff from outside the downtown area, for visiting City offices while in conjunction with a City function or event, or the conducting of City business in the downtown parking area bounded by Tuolumne, Freeway 99, and Freeway 41 on the south and east sides of downtown.

## Procedures

To obtain a temporary visitor parking permit, the requesting City department must complete and submit a Visitor Parking Permit Application for approval by the Parking Manager.

## Fees and Charges

Annual and daily visitor permits may be issued after application approval by the Parking Manager, based on the following criteria:

1. Outside consultants who work more than 60 total days of the year at City Hall.
  - a. Cost: \$180 per year, per permit, or \$15 per month.
2. City department staff from outside the downtown area who use private vehicles for City business at City Hall (limit 5 permits per department).
  - a. Cost: \$50 per year, per permit.
3. Other governmental agencies conducting business at City Hall. The City Manager or his designee can waive this fee.
  - a. Cost: \$50 per year, per permit.
4. Other users approved by the Parking Manager based on review of the request and need.
  - a. Cost: \$2 per day, per permit.

The requesting City department will be billed through interdepartmental charges based on the above.

<b>Subject:</b> Environmental Site Assessment	<b>Number:</b> 8-1
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> Development	<b>Approved:</b>

## Purpose

To establish general procedures and policies applicable to environmental site assessments for transactions involving real estate.

## Policy

Existing environmental law holds both the current and past owners or operators of hazardous waste property jointly and severally liable for the cost of toxic clean-up.

To minimize the extensive environmental liability exposure, an initial environmental site assessment (EA) or study of the subject property shall be performed by the City prior to any transactions involving real estate (purchases, leases, exchanges, acceptance of deeds of trust as security, bond financing, etc.) engaged in by the City of Fresno, except for exchanges between the City and the Redevelopment Agency of the City of Fresno.

An EA shall be utilized to determine the existence of any toxic or hazardous materials on the subject property. For purposes of this policy, toxic or hazardous materials shall include asbestos building material, industrial cleaning solvents, pesticides, PCBs, or any other material identified in any federal, state or local law or regulation as toxic or hazardous. The EA will provide crucial decision-making information prior to the finalization of transactions involving real estate. The information generated in a pre-transaction survey can be used to confirm fair market value, establish acceptability of security, negotiate price and incorporate special escrow or insurance provisions, determine whether a subject property should ultimately be acquired or utilized, or even determine whether a particular transaction should be pursued.

## Procedures

The department engaging in the transaction shall perform a Phase I EA consistent with this instruction, or select a consultant experienced in EAs to conduct a Phase I EA. The Phase I EA shall contain the following information:

1. A site visit to observe conditions at the subject property and adjacent properties. The objective of this visit is to identify activities or conditions that have or could result in the existence or release of toxic or hazardous materials at the property resulting in contamination of the property. Specific areas of concern would include: stored hazardous chemicals, buried wastes, underground storage tanks, asbestos in building materials, PCBs in electrical transformers and capacitors, and pesticides.

2. A review of historical usage of the property, including interviews with individuals knowledgeable about the subject property operations.
3. A review of information available in regulatory agency (Federal, State and local) and other files (including aerial photographs) about the subject property.
4. This list shall not be assumed to be exhaustive. Specific conditions may warrant modifications to the list and the department shall be responsible to ensure that all specific conditions are identified and carried out in an appropriate manner to determine the existence or extent of toxic or hazardous materials on a given property.

The Phase I EA shall be concluded with a written report of any findings and recommendations. If the Phase I EA concludes that the subject property is free from toxic or hazardous materials, no further action is necessary. However, if the report finds that additional work is needed to determine the existence of toxic or hazardous materials, such work shall be accomplished through a Phase II EA. The Phase II EA seeks a more detailed review of the subject property focusing on areas of concern noted in the Phase I EA. The Phase II EA can be used to determine the presence or absence of specific environmental liabilities and quantify those problems. A Phase II EA shall include a review of the Phase I EA and performance of soil or groundwater tests, as necessary, to confirm the presence or absence of toxic or hazardous materials on subject property. The specialized nature of Phase II EAs requires that they be performed by a consultant experienced in EAs.

Even in cases that do not ordinarily require Council authorization, a department shall not contract with a consultant to proceed with a Phase II EA without the prior written approval of the Chief Administrative Officer. The department's request shall include an analysis of the public benefit of the project, the need for a further EA, and the estimated cost of the Phase II EA.

The Phase I or II EA may supplement the CEQA review and should be accomplished at the earliest point possible. The EA should be concluded prior to the completion of the subject transaction. The Phase I and II EAs shall not substitute for a CEQA review of a project.

<b>Subject:</b> Centralized Facilities Services	<b>Number:</b> 8-2
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> DAS—Facilities	<b>Approved:</b>

## Policy

1. General
  - a. The Facilities Management Division provides centralized facility maintenance, repair and improvement services to departments throughout the City. These services include areas that require special expertise, such as plumbing, air conditioning/heating, certain mechanical, electrical, roofing, carpentry, and locksmithing.
  - b. This policy is intended to define clearly those services that require special expertise, and compliance with worker and workplace safety regulations.

## Procedures

1. Unless otherwise approved by DAS—Facilities Management, Facilities Management shall either perform or assist with contracting for the following work on City buildings, facilities and equipment:
  - a. All heating, ventilation and air conditioning.
  - b. All electrical work except for the following:
    - (1) Electrical work performed by employees in the class of Electrician who are assigned to other departments.
    - (2) The replacement of fluorescent and incandescent light bulbs, which does not expose the worker to electrical wiring.
    - (3) Resetting a single-pole circuit breaker of 20 amps or less, no more than one time.
    - (4) Work involving the installation and repair of irrigation control systems of 24 volts or less.
    - (5) Electrical work performed by employees in the class of Air Conditioning Mechanic on the heating, ventilation, air conditioning or refrigeration equipment side of the unit disconnect switch.



- (6) Work performed by Electronics and Communications Division employees in the installation and repair of electronics and communications systems and equipment (i.e., radio, telephone, public address, data transmission, security, and video systems).
  - c. All work on fire detection and fire sprinkler systems.
  - d. All plumbing and gas fitting work requiring a plumbing permit unless the employee performing the work is in a class that includes plumbing duties.
  - e. All roofing and locksmithing work.
  - f. All work requiring building, mechanical, plumbing, electrical, or fire sprinkler permits.
  - g. All work requiring standardized specifications in order to match existing facilities, systems or equipment (e.g., lock systems, plumbing fixtures, etc.).
2. It is recognized that there will be some exceptions to the above, such as work performed by volunteers at the Zoo, or in departments that have employees in classes designated and qualified for such work. In those cases, the departments shall work with Facilities Management to assure that any appropriate building permits are obtained and that the work is performed in accordance with applicable building and health and safety codes.

<b>Subject:</b> Cellular Telephones	<b>Number:</b> 8-3
	<b>Date Issued/Revised:</b> June 1, 2002
<b>Responsible Department:</b> GSD—Communications Services	<b>Approved:</b>

## Purpose

To establish general policies and procedures regarding personal use of wireless services and reimbursement for use other than for official City business.

## Policy

Wireless services must be justified on the basis of having demonstrated benefit to the City. They will only be approved if other means of communications are less efficient, not practical, or are more expensive. City-issued wireless services shall not be used for a personal business, financial gain, or political activities.

Wireless services bills will be monitored by the General Services Department on a routine basis, and detailed billing reports will be sent to customer departments or divisions upon request.

## Procedures

1. The request for wireless services must include a written justification and be submitted to the Communications Services Division of the General Services Department using the standard request process.
2. Monthly cellular usage reports, as received from service providers, will be sent by the Communications Services Division to the customer departments showing individual call detail of the cellular charges.
3. It is the customer department's responsibility to present the cellular usage reports to the individuals using the cellular phones and direct the individuals to identify all personal calls. Personal calls include all calls not directly related to City business.
4. All personal wireless services usage requires reimbursement to the requesting department. The person responsible for the personal calls is required to reimburse the customer department at the rate charged for the service. Reimbursement shall be at 15 cents per minute or the rate shown on the usage report, whichever is greater.

<b>Subject:</b> INTERIM ADMINISTRATIVE ORDER  Responding to Public Records Act Requests for E-mail	<b>Number:</b> 8-4  <b>Date  Issued/Revised:</b> September 15, 2003
<b>Responsible  Department:</b> Information Services	<b>Approved:</b>

## Purpose

This Administrative Order sets forth guidance for responding to Public Records Act (Government Code §§ 6250 *et seq.*) requests for e-mail, during an interim period while a comprehensive policy relating to e-mail is developed for issuance as an Administrative Order.

## Definitions

Under the Public Records Act, the term “public record” is defined as any writing containing information relating to the conduct of the public’s business, prepared, owned, used or retained by the City of physical form or characteristics. E-mail is considered a writing under the Public Records Act.

## Applicability

This procedure applies to all users of the City of Fresno’s e-mail system.

## General Policy and Responsibilities

1. E-mail is a tool for City officials and employees with the primary purpose to conduct City business.
2. E-mail is not intended to be kept or retained as a record in the ordinary course of City business.
3. E-mail intended to be kept in the ordinary course of City business should be printed out in hard copy or saved in a disk file.
4. E-mail users should routinely purge all e-mail in the “Mailbox,” “Sent Items” and “Trash.”
5. If a Public Records Act request for e-mails is received, the existing e-mails will be evaluated in the same manner as traditional writings.
6. E-mail existing on the date a Public Records Act request is received must not be deleted from the “Mailbox” or “Sent Items” box, nor may it be emptied from the “Trash.”
7. If an existing e-mail contains information relating to the conduct of the City’s business, it will be disclosed, **unless** exempt under an express exemption or under the Public Records Act’s balancing test.

8. The Public Records Act specifically exempts a number of categories of records from disclosure. The following is a partial list of exemptions that are applicable to local agencies.
  - a. Personnel, medical or similar records.
  - b. Closed session items.
  - c. Records pertaining to pending litigation.
  - d. Arrest records, complaint reports, investigatory and security files.
  - e. Personal financial information required of licensees.
  - f. Records exempt from disclosure under other laws (e.g., attorney-client privilege).
  - g. Deliberative privilege.
  - h. General public interest exemptions. In cases where a specific statutory exemption does not apply, a record still might be exempt from disclosure of: "on the fact of the particular case, the public interest served in not making the record public clearly outweighs the public interest served by disclosure of the record. (Gov. Code § 6255.)
9. When the request for a record is in writing, the response when denied in whole or in part must be in writing.

### **Implementation**

The City Attorney's Office must be consulted to determine if particular records may be withheld, or if the record involves the attorney-client privilege, existing litigation, or some other exemption.

<b>Subject:</b> Smoking in City Buildings	<b>Number:</b> 8-5
<b>Responsible Department:</b> DAS—Facilities	<b>Date Issued/Revised:</b> December 1, 1998 <b>Approved:</b>

## Purpose

To establish a policy and procedure regarding smoking in the workplace that is consistent with provisions of the California Labor Code and City Ordinance.

## Policy

The City has a duty to make every reasonable effort to provide a healthy and pollution-free work environment. It is the policy of the City to adhere to all applicable laws and regulations in this endeavor.

## Procedures

1. Smoking is prohibited in all enclosed work areas. "Enclosed work area" is defined as any area occupied by employees in the performance of their regular duties and having four walls and a roof, regardless of the type of ventilation provided.
2. Smoking may be permitted in permanently assigned vehicles, provided no non-smokers are required to ride in that vehicle in the course of their regular duties.

<b>Subject:</b> Access to City Hall When the Building is Locked	<b>Number:</b> 8-6
	<b>Date Issued/Revised:</b> December 1, 1998
<b>Responsible Department:</b> DAS—Facilities	<b>Approved:</b>

## Purpose

To establish a security policy for City Hall.

## Procedures

1. The City Hall will be unlocked only from 7 a.m. to 6 p.m. each workday.
2. Entry to City Hall when the building is locked shall require the showing of an employee's City of Fresno identification badge to building security, along with signing in on the security log. Employees shall sign out when departing after hours.
3. Employees who work outside of City Hall may use departmental photo identification cards, e.g., Airports, Fire Department, Fresno Area Express, etc., for access to City Hall and need not obtain an additional card.
4. Employees without a proper City of Fresno identification badge will not be allowed after-hours entry unless another employee from their department is present to take responsibility and sign them in.
5. Entering and exiting the building when it is locked is only authorized at the north and south "Q" Street entrances. All other building entrances will be secured after hours except when a public meeting is in session.
6. Employees may obtain photo ID badges by completing the attached form and taking it to the City Hall Copy Center (ground floor) from 2:30 p.m. to 4:30 p.m. daily. There is a charge for each card, which will be interdepartmentally billed.
7. Employee identification cards are to be numbered and controlled, i.e., the cards will be recovered by individual departments when an employee leaves City service and returned to Central Printing for record keeping purposes.

**CITY OF FRESNO  
EMPLOYEE PHOTO ID CARD AUTHORIZATION**

EMPLOYEE NAME \_\_\_\_\_  
(Please Print)

POSITION TITLE \_\_\_\_\_

DEPARTMENT/DIVISION \_\_\_\_\_

PROGRAM NUMBER \_\_\_\_\_

AUTHORIZED SIGNATURE \_\_\_\_\_  
(Division Manager or above) (Date)

**CENTRAL PRINTING USE ONLY**

BADGE NUMBER \_\_\_\_\_

DATE OF ISSUE \_\_\_\_\_

<b>Subject:</b> Funding of Special Events	<b>Number:</b> 8-7
<b>Responsible Department:</b> Convention Center	<b>Date Issued/Revised:</b> December 1, 1998 <b>Approved:</b>

## Purpose

To establish a policy for granting financial assistance to groups sponsoring special events benefitting the City of Fresno.

## Procedures

1. Any person or group requesting funding by the City for a special event shall do so by making application to the Convention-Visitors Bureau (CVB) on a form developed by the CVB and approved by the City.

The CVB shall have the following responsibility and take the following actions regarding funding of special events:

- a. the CVB will develop and receive application forms, screen the applications applying the criteria listed in 2, below. The Chief Administrative Officer or designee shall be the City representative authorized to approve the criteria established for events to be funded.
  - b. The CVB will require that the City of Fresno receive recognition as a financial sponsor of the events by including such information on programs, news releases, etc.
  - c. Upon establishing the eligibility criteria for special events to be promoted, the CVB may determine which events are to be funded and submit a list of funded events to the Chief Administrative Officer or designee.
  - d. The CVB will submit a semi-annual report of evaluations of special events supported by the fund.
2. Criteria for Funding: Three major criteria shall be applied in evaluating requests for special event funding:
    - a. Economic Benefit
      - Events conducted over more than one day, or having an impact over more than one day, shall have a priority over events covering one day or part of a day.



- The event should generate community and visitor/tourism receipts through utilization of hotel/motel facilities, restaurant, recreation and cultural arts pursuits in order to benefit the community and the City of Fresno.
- Priority shall be given to events generating an economic benefit to the downtown/central Fresno area.

b. Media Coverage/Promotion

- A special event should generate local news media overage; events that generate state and/or national news media coverage shall be preferred.

c. Availability of Funding

- Funding for special events is approved by the City Council, at its discretion, in each year's annual budget and will be appropriated into the Convention Center budget.
- The CVB will pay successful applicants from the special events allocation paid to the CVB by the Convention Center annually.
- Unexpended special event funds may be carried over by the CVB for the next fiscal year's special events.

<b>Subject:</b> City-Owned/Leased Vehicles— Acquisition, Assignment and Usage Policy	<b>Number:</b> 8-8
	<b>Date Issued/Revised:</b> February 1, 2003
<b>Responsible Department:</b> GSD-Fleet Management	<b>Approved:</b>

## Purpose

To establish a uniform policy governing the acquisition, assignment and use of City-owned and leased vehicles.

## Definitions

For the purposes of this Administrative Instruction, the following definitions apply.

1. Reporting Point: The facility to which the employee normally reports for work.
2. Home Storage: Off-duty or after-hours parking or storage of a City-owned vehicle at the residence of a City employee or at a location other than that adjacent to the office to which the vehicle is assigned, or at a non-reporting point location.
3. Special Equipment: That unique equipment, attached to or carried by a City vehicle, that would be required at the scene of an emergency and which cannot be provided by on-duty personnel or equipment which cannot be reasonably provided for in any other manner. A two-way radio installed in a vehicle is not normally considered special equipment.

## Policy

1. The City does not furnish basic "to-and-from-work" transportation. The City may provide City-owned or leased vehicles for employee use while on official City business.
2. Automotive equipment procured by the City shall be specifically approved by the Chief Administrative Officer and the Council.
3. All City-owned vehicles and equipment, except Transit buses and fire apparatus, shall be assigned to, and be the responsibility of, the General Services Department. Responsibility for such equipment includes providing for fuel, maintenance and repair, replacement cycles and disposal, as well as exercising administrative control according to the provisions of this Administrative Order. User departments will be responsible for safe vehicle operation; fueling; tire, engine oil and coolant servicing; washing as needed; parking and security of assigned vehicles.

4. As manager of the automotive fleet, the Director of General Services shall review and make recommendations on all requests to purchase automotive equipment and the assignment of city-owned/leased vehicles.
5. The General Services Department will periodically analyze the comparative efficiencies between utilizing a City-owned vehicle or private mileage reimbursement (See Administrative Order 2-2) for transportation in conducting City business. When such analysis determines that it is cost effective and in the best interest of the City to provide a City-owned vehicle, a recommendation will be made to the Department Director involved and to the Chief Administrative Officer to procure a vehicle using the cost savings from unused budgeted private mileage funds to partially defray acquisition cost.
6. The Director of General Services will evaluate and monitor the actual use and utilization of all allocated automotive equipment. When, in the opinion of the director, this evaluation and monitoring indicates the allocated equipment is not being utilized to the fullest economic advantage of the City, the director shall bring this fact to the attention of the head of the department concerned.
7. Except for vehicles authorized for home storage pursuant to this Administrative Order, all City-owned vehicles shall be parked or stored as near as possible to the office to which they are assigned, or as near as possible to the reporting point of the employee using the vehicle. Vehicles are not to be parked overnight at a non-reporting location unless authorized pursuant to this Administrative Order.
8. Home storage of City-owned/leased automotive equipment shall be permitted only in those instances where it is to the City's benefit to do so. Home storage shall not be granted as an employee benefit. Home storage must be approved and reauthorized annually by the Director of General Services and the Chief Administrative Officer. Vehicles will not be home-stored outside the Fresno and Clovis metropolitan area. Off-street parking shall be mandatory for home-stored vehicles except in those instances where the vehicle is so large and/or heavy as to be impractical.

Department Directors may approve short-term home storage in response to **emergency** situations. Such approval must not exceed 10 working days. Employees subject to routine call-back shall not be provided a vehicle for home storage unless there is a benefit to the City from such assignment.

9. The Internal Revenue Service has defined the personal use of a City-provided vehicle for transportation to and from work to be a taxable fringe benefit, in the amount of \$3 per round trip. Therefore, this amount will be reported to the IRS by the City to reflect the employee's receipt of such fringe benefit.
10. City-owned/leased vehicles may not be utilized for personal use. Transportation of passengers other than in connection with official City business is prohibited.
11. During periods of employee absence of one week or more, City-owned/leased vehicles shall be returned to Fleet Management or the employee's department, as appropriate.

## Procedures

Requests and re-justification for individual assignment and/or home garaging of a City-owned vehicle, shall be initiated annually, in January, by Department Directors and submitted to the Director of General Services for review, evaluation, and concurrence by the Chief Administrative Officer, using Form VH-3, Vehicle Assignment and Home Storage Justification. A copy of the director's evaluation and recommendation to the Chief Administrative Officer shall be provided to the requesting department director.

All requests for personal assignment and/or home storage of a City vehicle will be evaluated according to the procedures and criteria indicated in paragraphs 1 and 2, below.

### 1. Justification for Request

- a. Authorization for individual assignment may be justified by one of the following criteria:
  - (1) The employee's duties or position regularly requires, as documented by appropriate records, driving in excess of the mileage figure at which the assignment of a City vehicle is cost-effective and in the best interest of the City.
  - (2) The employee's duties require, as documented by daily trip sheets or other appropriate records, that they be away from their permanent work station a minimum of 50 percent of the employee's normal day at least three days per week.
  - (3) The position requires the continuous availability of a vehicle with "special equipment."
- b. Authorization for home storage of an individually assigned vehicle may be justified when home storage allows for the more efficient and effective utilization of the vehicle, the employee's working hours, **and** when one of the following conditions exists:
  - (1) The employee's duties are such that check-out/in of a City vehicle from a City facility at the start of/end of a normal work day would be both impractical and uneconomical due to the lost productive time or increased fuel consumption.
  - (2) The employee has been directed to be on continuous availability for call-back during off-duty hours; the task to be performed will require immediate travel to the job location; and call-back can be expected to occur several times a month.
- c. Authorization for non-emergency temporary home storage of a City vehicle, which is not individually assigned, may be justified on a case-by-case basis for a period normally not to exceed one month, when such authorization is for the benefit of the City; and

- (1) The employee's duties are temporarily such that check-out of a City vehicle with special equipment from a City facility at the start of a normal work day would be both impractical and uneconomical, due to lost time and increased transportation costs; or
- (2) The employee is temporarily required to be available for call-back during off-duty hours and the task to be performed will require direct travel to the job location.

## **2. Evaluation of Requests**

All requests will be evaluated by the Director of General Services in accordance with the provisions of this Administrative Order. Under normal circumstances, no request will be approved that does not provide economic benefit to the City.

The General Services Department will annually compile a City-wide list of individually assigned and home-stored vehicles, amend such list as necessary during the year, and submit such list to the Chief Administrative Officer and Finance.

**CITY OF FRESNO**  
**VEHICLE ASSIGNMENT AND HOME STORAGE JUSTIFICATION**

To be submitted to the Director of General Services in January of each year as support and justification for the assignment of a City-owned/leased vehicle to an employee.

EMPLOYEE NAME: \_\_\_\_\_ DIVISION: \_\_\_\_\_

Instructions: Please furnish information indicated on all items.

1. ☐ G The employee's Vehicle Usage Record (Form VH-2 (attached) documents driving in excess of the mileage figure at which the assignment of a City vehicle is cost-effective and in the best interest of the City.
2. ☐ G The employee's Vehicle Usage Record documents that the employee is away from the permanent work station in excess of 50 percent of the normal workday at least three days per week.
3. ☐ G The position requires the continuous availability of a vehicle with special equipment.
4. ☐ G The above-named employee is further authorized for home storage of the vehicle due to practical considerations of efficiency or the need to be available for call-back work.

Location/Address where vehicle will be stored:

\_\_\_\_\_

Explain if the employee's duties will require the assignment of a specialized vehicle or will subject the vehicle to unusual use or wear:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Department Director Date

Approved ☐ G Disapproved ☐ G \_\_\_\_\_  
Director of General Services Date

Approved ☐ G Disapproved ☐ G \_\_\_\_\_  
City Manager Date

Please return this form to the General Services Department upon completion.

[illegible]

Form VH-2  
A.O. 2-2 & 8-8